

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

SEALED PLAINTIFF 1,

and

SEALED PLAINTIFF 2,

Plaintiffs,

v.

Civil Action No. 3:22cv670

PATRIOT FRONT, *et al.*,

Defendants.

ORDER

This matter comes before the Court on Plaintiffs' Agreed Motion to Strike (the "Motion"). (ECF No. 86.) Plaintiffs ask the Court to strike two portions of Defendants' Reply, (ECF No. 85), on the grounds that Defendants raise new arguments for dismissal that were not included in Defendants' opening memorandum. (ECF No. 87, at 1.) The two portions are: (1) the statute of limitations argument on pages 11 and 12; and (2) the argument concerning the sufficiency of the conspiracy allegation on page 8 through the first paragraph on page 9. (ECF No. 86, at 1.) Plaintiffs assert that Defendants consent to this Motion. (ECF No. 86, at 2.)

Upon due consideration, the Court GRANTS the Motion. The sections identified in Exhibit 1 to Plaintiffs' Memorandum in Support of Agreed Motion to Strike, (ECF No. 87-1), are hereby stricken from Defendants' Reply, (ECF No. 85). The Court notes that this Order strikes Defendant's arguments without prejudice. Defendants retain the right to raise the two arguments in other pleadings and motions as appropriate.

It is SO ORDERED.

Date: 04/26/23
Richmond, Virginia



M. Hannah Lauck
United States District Judge