

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

SHARELL HOLLOMAN,)	
)	
Plaintiff,)	
)	
v.)	Case No. 05-1180-JTM
)	
UNIFIED SCHOOL DISTRICT 259,)	
)	
Defendant.)	
_____)	

MEMORANDUM AND ORDER

The court conducted a scheduling conference on July 19, 2005. Uzo Ohaebosim appeared on plaintiff’s behalf. Robert G. Martin appeared for defendant. The following memorializes the court’s rulings on the pending motions.¹

1. Defendant’s Motion to Strike (Doc. 4)

Defendant moves to strike an introductory paragraph in plaintiff’s complaint captioned “Preliminary Statement,” arguing that the paragraph is (1) not numbered as required by Rule 10(b), (2) redundant, and (3) an “attempt to incite.” The court agrees that the “preliminary statement” is redundant in some aspects but is not persuaded that the paragraph warrants the entry of an order to strike. Accordingly, the motion shall be denied. However, because of the

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The case management schedule is set forth in a separate scheduling order.

redundant, argumentative nature of the paragraph, defendant need not respond to the paragraph in its answer.

IT IS THEREFORE ORDERED that Defendant's motion to strike (**Doc. 4**) is **DENIED**. **IT IS FURTHER ORDERED** that no response is required to allegations in plaintiff's "Preliminary Statement."

2. Plaintiff's Motion for an Extension of Time (Doc. 7)

Plaintiff moves for an extension of time to file its response in opposition to defendant's motion to strike. Because no prejudice has been shown and granting the extension serves the interests of justice, the motion shall be granted.

IT IS THEREFORE ORDERED that plaintiff's motion for an extension of time (**Doc. 7**) is **GRANTED**. Because the response brief has been filed and docketed (**Doc. 10**), no further action by plaintiff concerning this motion is necessary.

3. Plaintiff's Motion to Amend her Complaint (Doc. 8)

Plaintiff moves to amend her complaint to (1) number the preliminary statement and (2) add other minor clarifications. Because the proposed amendments are minor in nature and this case is in the early stages of discovery, the motion shall be granted.

IT IS THEREFORE ORDERED that plaintiff's motion to amend (**Doc. 8**) is **GRANTED**. Plaintiff shall file and serve the amended complaint on or before **July 29, 2005**.

IT IS SO ORDERED.

Dated at Wichita, Kansas this 21st day of July 2005.

S/ Karen M. Humphreys

KAREN M. HUMPHREYS
United States Magistrate Judge