

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

ZONE FIVE, LLC, et al.,

Plaintiffs,

v.

TEXTRON AVIATION, INC.,

Defendant.

Case No. 20-1059-DDC-RES

MEMORANDUM AND ORDER TO SHOW CAUSE

Defendant Textron Aviation, Inc., filed a Motion for Summary Judgment (Doc. 340). Plaintiffs filed three docket entries in response: a Memorandum in Opposition (Doc. 352), a Response (Doc. 353), and Exhibits in Support (Doc. 354). Plaintiffs' Response is a 68-page document which responds to defendant's statement of facts and advances plaintiffs' additional statement of facts. Doc. 353. Plaintiffs' Memorandum in Opposition contains 29 pages of plaintiffs' arguments. Doc. 352.

Plaintiffs' filing strategy violates our local rules. D. Kan. Rule 7.1(d)(2) limits principal briefs in response to a motion for summary judgment to 40 pages. And D. Kan. Rule 56.1(b)(1) contemplates parties will confine their factual disputes to their briefs. Plaintiffs' strategy of filing two documents—one with facts and one with arguments—defies these rules. What's more, plaintiffs have violated the court's Fourth Amended Scheduling Order, which expressly required plaintiffs to "file a *single* response to a dispositive motion" and to abide D. Kan. Rule 7.1(d)(2)'s principal brief 40-page limit. Doc. 297 at 3 (emphasis added). This court routinely strikes filings that attempt to circumvent page limits. *Uhlig LLC v. CoreLogic, Inc.*, No. 21-

2543-DDC, 2024 WL 1557626, at *1 (D. Kan. Apr. 10, 2024) (compiling cases and striking summary-judgment facts appended as an exhibit).

The court thus suspends the summary-judgment briefing schedule until further court order. The court also orders plaintiffs to show cause in writing why the court shouldn't strike Doc. 353 for failing to conform with local rules. Finally, the court sets a status conference for Friday, June 20, 2025, at 1:30 PM to determine the remaining briefing schedule. The court will conduct the status conference by telephone.

IT IS THEREFORE ORDERED BY THE COURT THAT the summary-judgment briefing schedule is suspended until further order.

IT IS FURTHER ORDERED THAT plaintiffs show cause in writing by Wednesday, June 18, 2025, why the court should not strike their Response (Doc. 353) for failing to abide D. Kan. Rule 7.1(d)(2), D. Kan. Rule 56.1(b)(1), and the court's Fourth Amended Scheduling Order (Doc. 297).

IT IS FURTHER ORDERED THAT the parties appear at a telephonic status conference next Friday, June 20, 2025, at 1:30 PM.

IT IS SO ORDERED.

Dated this 13th day of June 2025, at Kansas City, Kansas.

s/ Daniel D. Crabtree
Daniel D. Crabtree
United States District Judge