

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JUANA DOE I et al,

Plaintiffs

v.

IFC ASSET MANAGEMENT COMPANY,
LLC,

Defendant.

Civil Action No. 17-1494-VAC-SRF

**PLAINTIFFS' CONSENT MOTION TO
FILE SURREPLY IN OPPOSITION TO
DEFENDANT'S MOTION TO EXTEND
TIME**

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Dated: November 28, 2017

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MOTION AND MEMORANDUM

Plaintiffs seek leave to file the attached one-page surreply to correct two misstatements of law in Defendant's Reply. Defendants do not oppose this motion.¹ As Plaintiffs' brief shows, Defendant's positions that transfer is proper even if Defendant does not demonstrate that this Court has jurisdiction, and that immunity is not jurisdictional, are not supported by the cases it cites, and are foreclosed by binding cases they omit.

This is an appropriate circumstance for a sur-reply. *See St. Clair Intellectual Prop. Consultants v. Samsung Elecs. Co. Ltd.*, 291 F.R.D. 75, 80 (D. Del. 2013) (granting leave to file surreply over defendant's objection where surreply "will allow the Court to more fully and fairly evaluate Defendants' pending motion," is "relatively short, [and] challenges Defendants interpretation and application of" newly-cited caselaw).

Accordingly, Plaintiffs respectfully request that their motion for leave to file a surreply be granted.

Dated: November 28, 2017

Respectfully submitted,

/s/Misty A. Seemans

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¹ Defendant's position is: "As IFC-AMC sees no need to waste the Court's time with further motions on this matter, IFC-AMC does not oppose a surreply. IFC-AMC stands by its Reply in the matter and does not intend further briefing as the issues at hand have been fully briefed already and will be briefed again as part of IFC-AMC's transfer motion."

*Based in CT; admitted in NY; does not practice in DC's courts.

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CERTIFICATE OF SERVICE

I, Misty A. Seemans, hereby certify that on November 28, 2017, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

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I further certify that on November 28, 2017, I caused the foregoing document to be served via electronic mail upon the above-listed counsel and on the following:

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