

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

EYAL YAKOBY and JORDAN DAVIS,

Plaintiffs,

v.

UNIVERSITY OF PENNSYLVANIA,

Defendant.

No. 2:23-cv-04789 (KNS)

**DEFENDANT’S MEMORANDUM IN SUPPORT OF ITS MOTION FOR LEAVE TO
FILE A MOTION TO DISMISS AND MEMORANDUM OF LAW
IN EXCESS OF TWENTY-FIVE PAGES**

Defendant University of Pennsylvania, by and through its attorneys, respectively moves this Court for leave to file a motion to dismiss and supporting memorandum of law 15 pages in excess of the 25-page limit set forth in Section III(E)(1) of the Hon. Kai N. Scott’s General Policies and Procedures (Effective Date: February 16, 2023), for a total of up to 40 pages.

Section III(E)(1) of the Court’s Policies and Procedures states that “[a]ny dispositive motion and its supporting memorandum of law must not exceed twenty[-five] (25) pages.”

Plaintiffs filed their Complaint on December 5, 2023 (Dkt. 1). Penn waived service of the Complaint on December 14, 2023. Plaintiffs’ Complaint is 84 pages long, containing 259 paragraphs of allegations, and three counts for relief. The Complaint alleges violations of Title VI of the Civil Rights Act, breach of contract, and violations of the Pennsylvania Unfair Trade Practices and Consumer Protection Laws.

Penn intends to file a motion to dismiss regarding all of Plaintiffs’ claims. Penn’s motion to dismiss is due to be filed on February 12, 2024.

Despite its efforts to be as succinct as possible, Penn believes that an additional 15 pages are necessary to provide the Court with the opportunity to consider Penn's complete arguments, considering the scope of Plaintiffs' 259-paragraph Complaint and the numerous documents incorporated in the Complaint by reference.

Penn requested consent for this Motion from counsel for Plaintiffs and counsel for Plaintiffs did not respond.

Dated: February 7, 2024

Respectfully submitted,

s/ Sean V. Burke

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