

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Emily Dehn v. Board of Regents for Kansas Colleges and Universities, State of Kansas ex rel. University of Kansas

Dehn · No. 24-2079-DDC · Decided February 27, 2026

SUMMARY

The United States District Court for the District of Kansas orders the defendants to show cause why two separately filed motions for summary judgment should not be stricken. The court explains that multiple summary judgment motions are generally disfavored and stays the response deadlines pending further order or the filing of a single compliant motion.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	Daniel D. Crabtree
JURISDICTION	United States District Court for the District of Kansas
DECIDED	February 27, 2026
DOCKET	24-2079-DDC
DISPOSITION	other
PROCEDURAL POSTURE	The defendant filed two separate motions for summary judgment, one directed against the plaintiff's claims and one seeking judgment on its counterclaim. The court issued a memorandum and order directing the defendant to show cause why both motions should not be stricken, or alternatively to file one compliant motion or seek leave to file multiple motions.
PRECEDENTIAL VALUE	Unknown; memorandum and order from a federal district court

TOPICS

summary judgment

civil procedure

PRACTICE AREAS

civil procedure

summary judgment

QUESTIONS PRESENTED

1. Whether the defendant's filing of two separate summary judgment motions should be stricken under the District of Kansas's rule and summary-judgment guidelines disfavoring multiple motions filed without permission.
2. Whether the plaintiff's response deadlines on the two summary judgment motions should be stayed pending resolution of the defendant's multiple-motion practice.

HOLDINGS

1. In the absence of a court order granting permission, separate or multiple summary judgment motions should not be filed where doing so would evade compliance with D. Kan. Rule 7.1(d)(2); the court therefore required the defendant to show cause why its two motions should not be stricken or alternatively submit one compliant motion or seek leave.
2. Response deadlines for the defendant's two summary judgment motions are stayed pending further court order or until the defendant files a single rule-compliant summary judgment motion.

KEY QUOTATIONS

“A party should ordinarily submit only one motion for summary judgment which contains all arguments and evidence in support of a judgment in favor of the moving party, so as to avoid a piece-meal approach to a multiple claim suit.”

“Absent a court order granting permission to do so, separate or multiple motions for summary judgment should not be filed to avoid compliance with D. Kan. Rule 7.1(d)(2).”

“The practice ‘also permits ‘any number of permutations of the page-limitation rule[.]’”

FACTUAL BACKGROUND

The defendant filed two separate motions for summary judgment: one against the plaintiff's claims and another on its counterclaim. The motions collectively involved approximately 70 pages of summary-judgment briefing in a case the court characterized as relatively straightforward, with few claims and a single counterclaim. The court found no apparent reason for the use of separate motions and ordered the defendant to justify that approach or consolidate its motion practice.

PROCEDURAL HISTORY

The case was pending in the United States District Court for the District of Kansas when the Board of Regents filed two separate summary judgment motions. Before briefing deadlines on those motions expired, the court determined that the multiple motions appeared inconsistent with the District of Kansas's summary-judgment practice and stayed the plaintiff's response deadlines pending the defendant's response to the show-cause order or filing of a compliant motion.

DISPOSITION

other

CASES CITED

- Cole v. Convergys Customer Mgmt. Grp., Inc., No. 12-2404-SAC, 2013 WL 1446556, at *1 (D. Kan. Apr. 9, 2013)
- Lewis v. Glickman, No. 98-4154-SAC, 2000 WL 1863407, at *3 & n.3 (D. Kan. Nov. 1, 2000)
- United States ex rel. Schroeder v. Medtronic, Inc., No. 17-2060-DDC-BGS, 2024 WL 3567297, at *1 (D. Kan. Mar. 26, 2024)
- Hernandez v. Pemmark Transp., Inc., No. 24-cv-01158-TC, 2025 WL 2443448, at *2 (D. Kan. Aug. 15, 2025)

OPINION

Dehn

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

EMILY DEHN,

Plaintiff/Counter Case No. 24-2079-DDC Defendant, v.

BOARD OF REGENTS FOR KANSAS

COLLEGES AND UNIVERSITIES,

STATE OF KANSAS ex rel. UNIVERSITY

OF KANSAS,

Defendant/Counter Claimant.

MEMORANDUM AND ORDER TO SHOW CAUSE

Defendant Board of Regents for Kansas Colleges and Universities ex rel. University of Kansas has filed two separate summary judgment motions. Doc. 104; Doc. 108. One of these asks for summary judgment against plaintiff's claims. Doc. 104. The other asks for summary judgment in defendant's favor on its Counterclaim. Doc. 108. The problem with this approach? "A party should ordinarily submit only one motion for summary judgment which contains all arguments and evidence in support of a judgment in favor of the moving party, so as to avoid a piece-meal approach to a multiple claim suit." Cole v. Convergys Customer Mgmt. Grp., Inc., No. 12-2404-SAC, 2013 WL 1446556, at *1 (D. Kan. Apr. 9, 2013). Our court's Summary Judgment Guidelines codify this norm: "Absent a court order granting permission to do so, separate or multiple motions for summary judgment should not be filed to avoid compliance with D. Kan. Rule 7.1(d)(2)." This guidance makes good sense. As our court has observed, "filing summary judgment motions seriatim on one's own initiative not only makes 'the court's task of shuffling paperwork more complex[.]'" Cole, 2013 WL 1446556, at *1 (quoting Lewis v. Glickman, No. 98-4154-SAC, 2000 WL 1863407, at *3 n.3 (D. Kan. Nov. 1, 2000)). The practice "also permits 'any number of permutations of the page-limitation rule[.]'" Id. (quoting Lewis, 2000 WL 1863407, at *3 n.3). Our court has animated this conclusion several times recently. E.g., United States ex rel. Schroeder v. Medtronic, Inc., No. 17-2060-DDC-BGS, 2024 WL 3567297, at *1 (D. Kan. Mar. 26, 2024)

(granting motion to strike second summary judgment motion); *Hernandez v. Pemmark Transp., Inc.*, No. 24-cv-01158-TC, 2025 WL 2443448, at *2 (D. Kan. Aug. 15, 2025) (“[M]ultiple summary judgment motions filed throughout the course of litigation are generally disfavored.”). Here, the court detects no reason why this case—a relatively straightforward one with few claims and a single claim comprising the Counterclaim—should require 70 pages of summary-judgment briefing. More complicated cases have sufficed with less. Given this history, the court orders defendant to show cause in writing within 14 days of this Order why the court shouldn’t strike Doc. 104 and Doc. 108. Alternatively, defendant may file a single, rule-compliant summary judgment motion or seek leave to depart from that rule within 14 days of this Order. In light of this Order, the court stays plaintiff’s response deadlines for defendant’s two summary judgment motions until further court order or until defendant files a rule-compliant brief. 1 The court makes its Summary Judgment Guidelines publicly available at: <https://ksd.uscourts.gov/sites/ksd/files/Summary-Judgment-Guidelines%202023.pdf> IT IS THEREFORE ORDERED BY THE COURT THAT defendant show cause in writing within 14 days of this Order why the court shouldn’t strike Doc. 104 and Doc. 108. Alternatively, defendant may file a single, rule-compliant motion for summary judgment or seek leave to depart from that rule within 14 days of this Order. IT IS FURTHER ORDERED THAT response deadlines for Doc. 104 and Doc. 108 are stayed pending further court order or until defendant files a single, rule-compliant summary judgment motion. IT IS SO ORDERED. Dated this 27th day of February, 2026, at Kansas City, Kansas. s/ Daniel D. Crabtree Daniel D. Crabtree United States District Judge