

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

VERONICA HOWARD, ET AL.

CIVIL ACTION

VERSUS

NO. 09-6451

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY

SECTION "N" (1)

ORDER AND REASONS

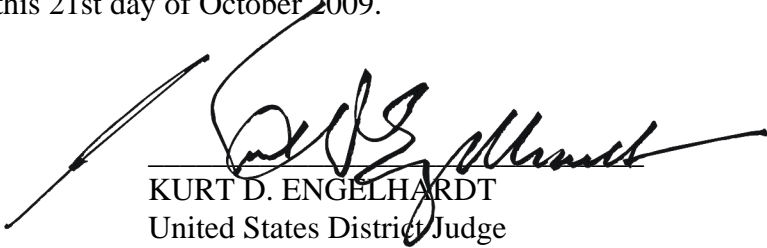
Local Rule 7.5E of the Eastern District of Louisiana requires that a memorandum in opposition to a motion be filed and that a copy be delivered to chambers eight days prior to the date set for hearing of the motion. No memorandum in opposition to the United States' Motion to Quash Subpoena and Dismiss case Without Prejudice (Rec. Doc. 5), set for hearing on October 21, 2009, was filed. Further, it appears to the Court that this motion has merit. Accordingly,

IT IS ORDERED that the United States' Motion to Quash Subpoena and Dismiss case Without Prejudice (Rec. Doc. 5) should be and is hereby **GRANTED**. Thus, the subpoena is quashed and this case is dismissed without prejudice for lack of subject matter jurisdiction.

A motion for reconsideration of this Order, if any, must be filed within ten days of the date this Order is entered by the Clerk of Court. The motion must be accompanied by opposition memorandum to the original motion. Because a motion for reconsideration would not have been necessary had a timely opposition memorandum been filed, the costs incurred in connection with the motion, including attorneys' fees, will be assessed against the party moving for reconsideration.

See FED. R. CIV. P. 16, 83. A statement of costs conforming to Local Rule 54.3 shall be submitted by all parties desiring to be awarded costs and attorneys' fees no later than eight days prior to the hearing of the motion for reconsideration.

New Orleans, Louisiana, this 21st day of October 2009.



KURT D. ENGELHARDT
United States District Judge