

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

INGRID MORRIS

CIVIL ACTION

VERSUS

NO. 17-2529

HOWMEDICA OSTEONICS
CORPORATION d/b/a STRYKER
ORTHOPAEDICS, ET AL

SECTION "N" (3)

ORDER AND REASONS

Local Rule 7.5 of the Eastern District of Louisiana requires that a memorandum in opposition to a motion be filed and that a copy be provided to the hearing judge eight days prior to the date set for the motion to be submitted. No memorandum in opposition to the following motion set for submission on May 10, 2017, has been filed to date:

“Defendants’ Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim” (Rec. Doc. 8)

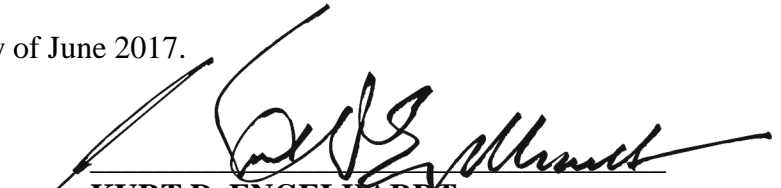
Accordingly, given that Ingrid Morris has failed to oppose the instant motion, and otherwise finding the motion to have merit, **IT IS ORDERED** that the motion is hereby **GRANTED**, and Plaintiff Ingrid Morris’ claims against Defendants Howmedica Osteonics Corp.,¹ Stryker Corporation, and Stryker Sales Corporation are **DISMISSED WITH PREJUDICE**.

A motion for reconsideration of this Order, if any, must be filed within fourteen (14) 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

¹ Defendant was incorrectly named as Howmedica Osteonics Corporation d/b/a/ Stryker Orthopaedics.

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 30th day of June 2017.



KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE