

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

WO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Linda Frazier,

Plaintiff,

v.

Pinnacle West Capital Corporation; Arizona
Public Service Company,

Defendants.

No. CV-12-01464-PHX-GMS

ORDER

Pending before the Court is Defendants’ Motion to Dismiss. (Doc. 6.) Plaintiff Linda Frazier has not responded to the motion and the time for doing so has expired. Her attorney moved to withdraw on August 8, 2012, citing his client’s failure to cooperate, provide documents, or pay him. (Doc. 10.) The Court deferred granting that Motion until Frazier’s attorney responded to the motion. (Doc. 11.) He never did, and the Court consequently denied his motion on October 10, 2012. (Doc. 15.) Local Rule 7.2(i) provides that “if . . . counsel does not serve and file the required answering memoranda . . . , such non-compliance may be deemed a consent to the denial or granting of the motion and the Court may dispose of the motion summarily.” Frazier’s failure to respond may be deemed consent to the granting of Defendants’ Motion. Nevertheless, the Court reviewed the Complaint and the Defendants’ Motion and determines that Frazier has failed to allege facts sufficient to support any of the claims that she raises. Frazier shall have 30 days in which to amend her complaint.

///

