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**NOT FOR PUBLICATION**  
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Robert Blakey, Jr.,  
Plaintiff,  
vs.  
Wells Fargo Bank, N.A., a National  
Banking Institution licensed to do business  
in Arizona and its agents; John and Jane  
Does 1-10; ABC Corporations; DEF  
Limited Liability Companies; and GHI  
Partnerships,  
Defendant.

No. CV10-8000-PCT-FJM  
**ORDER**

Plaintiff Robert Blakey, Jr. brings this action against Wells Fargo Bank, N.A. concerning a Line of Credit Agreement plaintiff had with Wells Fargo Bank. The complaint includes claims of breach of contract, tortious breach of the covenant of good faith and fair dealing, negligent misrepresentation, violations of A.R.S. § 13-2310 and § 13-2311, violation of the Arizona Consumer Fraud Act, A.R.S. § 44-1521, fraudulent concealment, and punitive damages. The court has before it a motion to dismiss by defendant Wells Fargo Bank ("movant") (doc. 23). Plaintiff has failed to respond.

Plaintiff filed this action in the Superior Court of Arizona in Yavapai County on November 24, 2009. Movant removed it to this court on January 4, 2010 and moved to

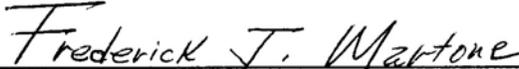
1 dismiss plaintiff's first amended complaint on August 18, 2010.

2 LRCiv 7.2(i) permits summary disposition of motions for non-compliance with  
3 briefing requirements. Failure to respond is deemed consent to the granting of the motion.

4 Accordingly, **IT IS ORDERED GRANTING** defendant Wells Fargo Bank's motion  
5 to dismiss (doc. 23).

6 DATED this 16<sup>th</sup> day of September, 2010.

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Frederick J. Martone  
United States District Judge