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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

HENRY F. LEWIS,	)	Case No. CV 13-07174 DDP (ASx)
	)	
Plaintiff,	)	<b>ORDER GRANTUNG DEFENDANTS'</b>
	)	<b>UNOPPOSED MOTION TO DISMISS</b>
v.	)	
	)	[DKT Nos. 11, 12]
PNC BANK, N.A.,	)	
	)	
Defendant.	)	
	)	

Presently before the court is Defendant PNC Bank, N.A.'s Motion to Dismiss Under Rule 12(b)(6). (Dkt No. 11.) Plaintiff Henry F. Lewis has not opposed the motion. Accordingly, the court GRANTS Defendants' Motion to Dismiss.

Central District of California Local Rule 7-9 requires an opposing party to file an opposition to any motion at least twenty-one (21) days prior to the date designated for hearing the motion. C.D. CAL. L.R. 7-9. Additionally, Local Rule 7-12 provides that "[t]he failure to file any required document, or the failure to file it within the deadline, may be deemed consent to the granting or denial of the motion." C.D. CAL. L.R. 7-12.

///

1 The hearing on Defendants' motion was noticed for January 27,  
2 2014. Plaintiff's opposition was therefore due by January 3, 2014.  
3 As of the date of this Order, Plaintiff has not filed an opposition  
4 or any other filing that could be construed as a request for a  
5 continuance. Accordingly, the court deems Plaintiff's failure to  
6 oppose as consent to granting the motion to dismiss, and GRANTS the  
7 motion.

8 In light of this Order, Defendants's Motion to Strike Portions  
9 of Complaint (Dkt No. 12) is vacated as moot.

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11 IT IS SO ORDERED.

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14 Dated: February 13, 2014

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DEAN D. PREGERSON  
United States District Judge