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JS-6

United States District Court
Central District of California

BERNIE UNRAU,

             Plaintiff,

    v.

AMBLIN ENTERTAINMENT INC.,

             Defendant.

Case № 2:16-cv-08850-ODW (JEM)

ORDER GRANTING MOTION TO
DISMISS [31] AS UNOPPOSED

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On November 30, 2016, Plaintiff Bernie Unrau filed this copyright infringement action. (ECF No. 1.) On January 18, 2017, Plaintiff filed a first amended complaint. (ECF No. 9.) On April 17, 2017, Plaintiff filed a second amended complaint. (ECF No. 29.) On May 31, 2017, Defendant Amblin Entertainment Inc. filed a motion to dismiss Plaintiff's second amended complaint and noticed a July 10, 2017 hearing on the motion. (ECF No. 31.) On June 1, 2017, Defendant's attorney David Russell reminded Plaintiff that his opposition was due twenty-one days before the scheduled hearing on the motion in accord with Central District of California Local Rule 7-9. (*See* Notice of Non-Opposition, Ex. A, ECF No. 38.)

Plaintiff never filed any opposition. On June 23, 2017, four days after the Local Rule 7-9 deadline, the Court issued an order to show cause why Plaintiff's motion should not be granted under Local Rule 7-12 for lack of opposition. (ECF No. 37.) The Court invited Plaintiff to late file his opposition by June 26, 2017, with a note explaining the reason for his delay. Plaintiff did not do so. (*Id.*)

The Court warned Plaintiff in its order to show cause that his failure to file opposition by June 26, 2017, would ultimately result in the dismissal of this action with prejudice. (*Id.*) Finding that Plaintiff had due notice of his need to file an opposition and failed to do so, the Court **GRANTS** Defendant's motion to dismiss as unopposed. This action is **DISMISSED** with prejudice. The Clerk of Court shall close the case.

IT IS SO ORDERED.

June 28, 2017

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OTIS D. WRIGHT, II
UNITED STATES DISTRICT JUDGE