IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

LEAH COOK

     Plaintiff,   Case No. 10-CV-03091-JAM-CMK

         v.   ORDER GRANTING DEFENDANT UNION
UNION PACIFIC RAILROAD COMPANY;   PACIFIC RAILROAD COMPANY'S
CUSA ES, LLC; CUSA CSS, LLC;   MOTION TO DISMISS
and DOES 1-50,

     Defendants.
_____/

    This matter comes before the Court on Defendant Union

Pacific Railroad Company's ("Defendant") Motion to Dismiss (Doc.

16) Plaintiff Leah Cook's ("Plaintiff") First Amended Complaint

("FAC") (Doc. 15), pursuant to Federal Rule of Civil Procedure

12(b)(6). Plaintiff did not oppose the Motion to Dismiss.[1]

    Plaintiff did not file an opposition or statement of non-

opposition to Defendant's Motion to Dismiss. Local Rule 230(c)

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[1] This motion was determined to be suitable for decision without
oral argument. E. D. Cal. L. R. 230(g). The hearing was
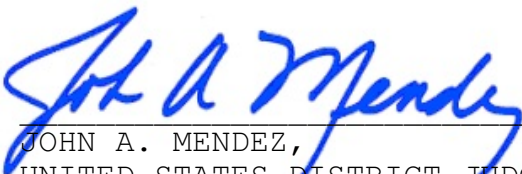scheduled for September 7, 2011.

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requires a party responding to a motion to file either an opposition to the motion or a statement of non-opposition, no less than fourteen (14) days preceding the noticed hearing date. Local Rule 110 authorizes the Court to impose sanctions for "failure of counsel or of a party to comply with these Rules." Therefore, the Court will sanction Plaintiff's counsel, Choudhary Law Office, $150.00 unless it shows good cause for its failure to comply with the Local Rules.

ORDER

After carefully considering the papers submitted in this matter, it is hereby ordered that Defendant's Motion to Dismiss is GRANTED, WITH PREJUDICE. It is further ordered that within ten (10) days of this Order Nilesh Choudhary shall either (1) pay sanctions of $150.00 to the Clerk of the Court, or (2) submit a statement of good cause explaining his failure to comply with Local Rule 230(c).

IT IS SO ORDERED.

Dated: September 16, 2011

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JOHN A. MENDEZ,
UNITED STATES DISTRICT JUDGE