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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THOMAS T. AOKI, M.D., et al.,

Plaintiffs,

v.

GREGORY FORD GILBERT, et al.,

Defendants.

No. 2:11-cv-02797-MCE-CKD

ORDER

Presently before the Court is Defendant Diabetic Life Pulse of Louisiana, LLC's Motion to Dismiss for Lack of Personal Jurisdiction pursuant to Federal Rule of Civil Procedure 12(b)(2). (ECF No. 112.) Plaintiff failed to timely file an Opposition to Defendant's Motion.¹

Pursuant to Local Rule 78-230(c), opposition to a motion must be filed not less than fourteen (14) days prior to the date of the hearing. The date of the hearing on the motion was set for March 21, 2013. Fourteen (14) days prior to the hearing was March 7, 2013. No opposition was filed as required. In light of the fact that Plaintiffs failed to file an opposition, Defendant's Motion to Dismiss for Lack of Jurisdiction (ECF No. 112)

¹ Because oral argument will not be of material assistance, the Court ordered this matter submitted on the briefing. E.D. Cal. Local R. 230(g).

1 is GRANTED with leave to amend.

2 Plaintiff may file an amended complaint not later than twenty (20) days after the
3 date this Memorandum and Order is filed electronically. If no amended complaint is filed
4 within said twenty (20)-day period, without further notice, Plaintiff's claims against
5 Defendant Diabetic Life Pulse of Louisiana will be dismissed without leave to amend.

6 IT IS SO ORDERED.

7 DATED: March 13, 2013

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MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT JUDGE