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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LAMBERT MILLS,  
  
Plaintiff,  
  
v.  
  
BANKERS LIFE AND CASUALTY  
COMPANY,  
  
Defendant.

No. 2:14-cv-2322 MCE CKD PS

ORDER

This action was referred to the undersigned pursuant to Local Rule 302(c)(21).  
Calendared for hearing on December 10, 2014 is defendant’s motion to dismiss. No opposition to  
the motion has been filed.

Local Rule 230(c) provides that opposition to the granting of a motion must be filed  
fourteen days preceding the noticed hearing date. The Rule further provides that “[n]o party will  
be entitled to be heard in opposition to a motion at oral arguments if written opposition to the  
motion has not been timely filed by that party.” In addition, Local Rule 230(i) provides that  
failure to appear may be deemed withdrawal of opposition to the motion or may result in  
sanctions. Finally, Local Rule 110 provides that failure to comply with the Local Rules “may be  
grounds for imposition of any and all sanctions authorized by statute or Rule or within the  
inherent power of the Court.”

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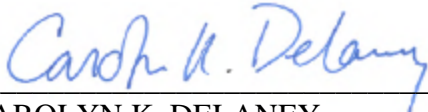
Good cause appearing, IT IS HEREBY ORDERED that:

1. The hearing date of December 10, 2014 is vacated. Hearing on defendant's motion is continued to January 14, 2015 at 10:00 a.m. in courtroom no. 24.

2. Plaintiff shall file opposition, if any, to the motion no later than December 29, 2014. Failure to file opposition will be deemed as a statement of non-opposition and shall result in submission of the motion on the papers and a recommendation that this action be dismissed pursuant to Federal Rule of Civil Procedure 41(b).

3. Reply, if any, shall be filed no later than January 5, 2015.

Dated: December 2, 2014

  
\_\_\_\_\_  
CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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