

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CLEVELAND WALLACE, et al.,  
Plaintiffs,  
v.  
BUCKINGHAM PROPERTY  
MANAGEMENT, et al.,  
Defendants.

No. 2:16-cv-1000 TLN CKD PS

ORDER

This action was referred to the undersigned pursuant to Local Rule 302(c)(21).  
Calendared for hearing on January 11, 2017 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.”

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Good cause appearing, IT IS HEREBY ORDERED that:

1. The hearing date of January 11, 2017 is vacated. Hearing on defendant's motion (ECF Nos. 38) is continued to February 15, 2017 at 10:00 a.m. in courtroom no. 24.
2. Plaintiffs shall file opposition, if any, to the motion no later than January 25, 2017. 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 February 1, 2017.

Dated: January 4, 2017

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

4 wallace1000.2.nop