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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FAST TRAK INVESTMENT COMPANY,
LLC,

Plaintiff,

v.

RICHARD P SAX, et al.,

Defendants.

Case No. [4:17-cv-00257-KAW](#)

**ORDER GRANTING DEFENDANT'S
MOTION FOR LEAVE TO FILE AN
AMENDED ANSWER; ORDER
TERMINATING REQUEST TO
APPEAR BY TELEPHONE AS MOOT**

Re: Dkt. Nos. 34, 39

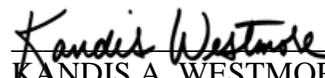
On June 23, 2017, Defendant Richard P. Sax filed a motion for leave to file an amended answer to add the affirmative defense of champerty. (Def.'s Mot., Dkt. No. 34 at 1.) Plaintiff did not file an opposition. "The failure of the opposing party to file a memorandum of points and authorities in opposition to any motion shall constitute consent to the granting of the motion." Judge Westmore's General Standing Order ¶ 22.

Accordingly, the Court finds this matter suitable for resolution without oral argument pursuant to Civil Local Rule 7-1(b), and GRANTS Defendant's motion for leave to file an amended answer. Defendant shall file the amended answer within 7 days of this order.

Additionally, the Court TERMINATES Defendant's request to appear telephonically at the August 3, 2017 hearing (Dkt. No. 39) as MOOT.

IT IS SO ORDERED.

Dated: July 27, 2017


KANDIS A. WESTMORE
United States Magistrate Judge