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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

LONNIE Q. BLASKO,	)	Civil No. 09cv2376 L(WVG)
	)	
Plaintiff,	)	<b>ORDER REQUIRING RESPONSE</b>
	)	<b>TO MOTION TO DISMISS</b>
v.	)	
	)	
WASHINGTON MUTUAL BANK; <i>et al.</i> ,	)	
	)	
Defendant.	)	
_____	)	

Defendants filed a motion to dismiss in this action. Prior to the hearing on the motion, counsel Howard Kaloogian filed a motion to withdraw as attorney of record for plaintiff Lonnie Q. Blasko. The motion was stricken from the record, however, because of a variety of procedural errors. Discrepancy Order filed February 5, 2010. [doc. #9]. Counsel has not again sought to withdraw; therefore, Howard Kaloogian remains counsel of record for plaintiff.

Plaintiff has failed to respond to defendants' motion to dismiss within the time provided under the Local Civil Rules. Failure to file an opposition is addressed in Civil Local Rule 7.1(f)(3)(c):

Unless otherwise provided by rule or court order, a party opposing a motion, or other request for ruling by the court *must* file a written opposition. If such party chooses not to oppose the motion, the party *must* file a written statement that the party does not oppose the motion or other request for ruling by the court.

Civ. L.R. 7.1(f)(3)(c) (emphasis added). This Rule was designed to relieve the Court of the

1 burden of reviewing the merits of a motion without full briefing. Such a review requires a  
2 significant amount of scarce judicial time.

3 Civil Local Rule 83.1 provides for sanctions for noncompliance with the Local Rules:


4 Failure of counsel or of any party to comply with these rules, with the Federal  
5 Rules of Civil Procedure or Criminal Procedure, or with any order of the court  
6 may be found for imposition by the court of any and all sanctions authorized by  
7 statute or rule or within the inherent power of the court, including, without  
8 limitation, dismissal of any actions, entry of default, finding of contempt,  
9 imposition of monetary sanctions or attorneys' fees and costs, and other lesser  
10 sanctions.

11 Civ. L. R. 83.1(a).

12 Based on the foregoing, **IT IS ORDERED** that plaintiff shall file an opposition to  
13 defendants' motion to dismiss and to expunge lis pendens or a statement that the he does not  
14 oppose the motion **on or before September 3, 2010**. Failure to comply with this Order shall  
15 result in an order to show cause why sanctions should not be imposed upon plaintiff and/or his  
16 counsel.

17 **IT IS SO ORDERED.**

18 DATED: August 26, 2010

19   
20 M. James Lorenz  
21 United States District Court Judge

22 COPY TO:

23 HON. WILLIAM V. GALLO  
24 UNITED STATES MAGISTRATE JUDGE

25 ALL PARTIES/COUNSEL  
26  
27  
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