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8	UNITED STATES DISTRICT COURT	
9	SOUTHERN DISTRICT OF CALIFORNIA	
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11	EUGENE SEIDL, et al.,	CASE NO. 09CV2841 DMS (NLS)
12	Plaintiffs,	ORDER GRANTING DEFENDANT'S MOTION TO
13	VS.	DISMISS AND MOTION TO EXPUNGE LIS PENDENS
14		[Docs. 4-5]
15	LITTON LOAN SERVICING LP, et al.,	
16	Defendants.	
17		
18	This action arises out of foreclosure-related activity with respect to Plaintiffs' home located	
19	at 621 Philton Drive, Ramona, California, 92065. Plaintiffs filed suit in Superior Court of California,	
20	San Diego County, on September 29, 2009 and alleged that a "Trustee Sale" was being held that same	
21	day. (Doc. 1, Ex. A at 10.) On December 17, 2009, Defendants removed the matter to this Court.	
22	(Doc. 1.)	
23	On December 29, 2009, Defendant Litton Loan Servicing LP filed a motion to dismiss and	
24	motion to expunge lis pendens. Plaintiffs did not file an opposition to the motion and the time for	
25	doing so has expired. Under Local Rule 7.1(f), failure to file a timely written opposition "may	
26	constitute a consent to the granting of a motion or other request for ruling by the court." Civ. L. R.	
27	7.1(f)(3)(c). Failure to follow a district court's local rule is a proper ground for dismissal. <i>Ghazali</i>	
28	v. Moran, 46 F.3d 52, 53 (9th Cir. 1995) (citing U	nited States v. Warren, 601 F.2d 471, 474 (9th Cir.

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1	1979). Accordingly, the Court grants Defendant's motions. The matter is dismissed and the lis
2	pendens is ordered expunged.
3	Defendant also seeks attorney's fees in connection with its motion to expunge the lis pendens.
4	Having considered the matter, the Court finds an award of attorney's fees to be unwarranted and denies
5	Defendant's request.
6	IT IS SO ORDERED.
7	DATED: February 5, 2010
8	- Anna m. Solom
9 10	HON. DANA M. SABRAW United States District Judge
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