

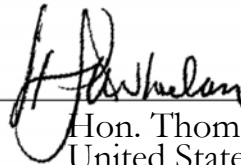
1 dismissal for failure to file timely opposition papers where plaintiff had notice of the
2 motion and ample time to respond).

3 In this case, based on the February 7, 2011 hearing date, Plaintiffs' opposition
4 was due on or before January 24, 2011. Plaintiffs, however, did not file an opposition
5 and have not requested additional time to do so. Moreover, there is no evidence before
6 the Court that Defendants' moving papers failed to reach the mailing address designated
7 in Defendants' Proof of Service or that Plaintiffs were not aware of the pending motion.
8 Relying on Civil Local Rule 7.1(f.3.c), the Court deems Plaintiffs' failure to oppose
9 Defendants' motion as consent to granting the motion.

10 In light of the foregoing, the Court **GRANTS** Defendants' motion to dismiss this
11 action **WITH PREJUDICE**. (Doc. 12.)

12
13 **IT IS SO ORDERED.**

14
15 DATED: January 31, 2011

16
17 
18 Hon. Thomas J. Whelan
United States District Judge