

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 13-cv-0005-WJM-NYW

CAROLYN DEDMON,

Plaintiff,

v.

CONTINENTAL AIRLINES, INC.,
UNITED AIRLINES, INC., and
UNITED CONTINENTAL HOLDINGS, INC.,

Defendants.

ORDER GRANTING DEFENDANTS' RULE 702 MOTION

Plaintiff Carolyn Dedmon ("Plaintiff") brings this action against Defendants Continental Airlines, Inc., United Airlines, Inc., and United Continental Holdings, Inc. (collectively "Defendants") for injuries she suffered when she fell on property apparently leased to Defendants at Denver International Airport. (See ECF No. 9.)

Before the Court is Defendants' Motion to Exclude Expert Testimony of Anne Stodola ("Rule 702 Motion"). (ECF No. 101.) Defendants filed this Motion on June 26, 2015, stating that "Plaintiff's counsel opposes the relief sought." (*Id.* at 1.) Plaintiff therefore had until July 20, 2015, to file a response. See D.C.COLO.LCivR 7.1(d); see *also* Fed. R. Civ. P. 6(d). Plaintiff did not file a response by that date, nor has she since filed any response to Defendants' Rule 702 Motion.

If a party fails to respond to a contested motion, the Court may deem the motion confessed. See, e.g., *Zinna v. Bd. of Cnty. Comm'rs of the Cnty. of Jefferson*, 250

F.R.D. 527, 529 (D. Colo. 2007). The Court accordingly deems Plaintiff to have confessed to the Rule 702 Motion and ORDERS as follows:

1. Defendants' Motion to Exclude Expert Testimony of Anne Stodola (ECF No. 101) is GRANTED; and
2. Plaintiff's anticipated expert testimony from Anne Stodola is EXCLUDED.

Dated this 11th day of August, 2015.

BY THE COURT:

A handwritten signature in blue ink, appearing to read 'William J. Martinez', is written over a horizontal line.

William J. Martinez
United States District Judge