

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

MARBURY LAW GROUP, PLLC,

Plaintiff/Counter-Defendant,

v.

BERNARD J. CARL,

Defendant/Counter-Plaintiff.

Civil No. 09-1402 (CKK)

MEMORANDUM OPINION

(December 3, 2009)

On July 28, 2009, Plaintiff, the Marbury Law Group, PLLC, (“Marbury”) filed the Complaint in the above-captioned matter seeking to enforce a monetary judgment entered by the Fairfax County Circuit Court in favor of Marbury and against Defendant, Bernard J. Carl, in the amount of \$135,324.07. *See* Complaint, Docket No. [1]. On October 15, 2009, Mr. Carl filed an Answer and Counterclaim to Marbury’s Complaint. *See* Ans. & Counterclaim, Docket Nos. [6] & [7]. Thereafter, on November 2, 2009, Marbury filed a [13] Motion to Dismiss Defendant’s Counterclaim and a [12] Motion to Dismiss its own Complaint for a lack of subject matter jurisdiction.

Mr. Carl is representing himself, *pro se*. On November 9, 2009, the Court issued an [14] Order, pursuant to the D.C. Circuit’s decision in *Fox v. Strickland*, 837 F.2d 507 (D.C. Cir. 1988), advising Mr. Carl that he must respond to both Marbury’s [13] Motion to Dismiss his Counterclaim and Marbury’s [12] Motion to Dismiss its own Complaint by no later than **Monday, November 30, 2009**, or the Court would treat the motions as conceded and dismiss both Marbury’s Complaint and Carl’s Counterclaim. As of the date of this Memorandum

Opinion and accompanying Order, the docket reflects that no such response has been filed by Mr. Carl. Accordingly, pursuant to this Court's November 9, 2009 Order, the Court shall GRANT as conceded Marbury's [13] Motion to Dismiss Defendant's Counterclaim and Marbury's [12] Motion to Dismiss its own Complaint. This case is therefore DISMISSED in its entirety WITHOUT PREJUDICE. An appropriate Order accompanies this Memorandum Opinion.

Date: December 3, 2009

/s/
COLLEEN KOLLAR-KOTELLY
United States District Judge