

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JESSICA MCCULLOUGH,

Plaintiff,

v.

Case No: 6:16-cv-1473-Orl-40TBS

TOYOTA MOTOR SALES, U.S.A.,
INC.,

Defendant.

ORDER

This cause comes before the Court on Defendant, Toyota Motor Sales, U.S.A., Inc.'s Motion to Dismiss Plaintiff's Amended Complaint and Memorandum of Law (Doc. 18), filed September 14, 2016. The Court does not require the benefit of Plaintiff's response to duly consider Defendant's motion.

This Court's Local Rules require that every motion requesting relief include "a memorandum of legal authority in support of the request." M.D. Fla. 3.01(a). Despite labeling its two-page motion as including a memorandum of law, Defendant does nothing more than recite the *Iqbal/Twombly* pleading standard and offer the naked assertion that Plaintiff alleges insufficient facts to support her state law conversion claim. If Defendant cannot be bothered to cite the law governing Plaintiff's conversion claim and explain why it believes the facts Plaintiff alleges are insufficient to state a cause of action, the Court will exert a similar amount of effort in resolving Defendant's motion to dismiss: see Pl.'s Am. Compl., ¶¶ 28–30.

It is **ORDERED AND ADJUDGED** that Defendant, Toyota Motor Sales, U.S.A., Inc.'s Motion to Dismiss Plaintiff's Amended Complaint (Doc. 18) is **DENIED**. Defendant shall answer Plaintiff's Amended Complaint within **fourteen (14) days** of this Order.

DONE AND ORDERED in Orlando, Florida on September 15, 2016.



PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel of Record