

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 09-61136-CIV-MORENO

DONALD YARBROUGH,

Plaintiff,

vs.

CREDIT CONTROL SERVICES, INC., d/b/a
CREDIT COLLECTION SERVICES, et al.,

Defendants.

**TWENTY-ONE DAY NOTICE OF CONSIDERATION OF
MOTION FOR SUMMARY JUDGMENT**

THIS CAUSE came before the Court upon Defendants' Joint Motion for Final Summary Judgment (**D.E. No. 25**) filed on **April 2, 2010**. The Court provides this notice pursuant to Fed. R. Civ. P. 56(c).

THE COURT has considered the motion and the pertinent portions of the record, and being otherwise fully advised in the premises, it is

ADJUDGED that the Court will take the motion for summary judgment, all materials in support, and materials in opposition under consideration 21 days from when the Court files this order. Therefore, the opposing party's memorandum in opposition to the motion for summary judgment shall be filed no later than **April 28, 2010**. The parties may file sworn affidavits or other admissible material in opposition to the opposing parties' motion for summary judgment. The failure of a party to exercise its rights pursuant to this notice and Fed. R. Civ. P. 56 to file materials in opposition to a summary judgment motion may result in the Court accepting any of the moving

party's uncontroverted evidence as true and may result in a final judgment being entered against the opposing party without the benefit of trial. *Celotex Corp. v. Catrett*, 477 U.S. 317 (1986).

DONE AND ORDERED in Chambers at Miami, Florida, this 5th day of April, 2010.



FEDERICO A. MORENO
UNITED STATES DISTRICT JUDGE

Copies provided to:

Counsel of Record