

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Case No. 05-23105-CIV-HUCK/O'SULLIVAN

BROWARD MARINE, INC., et al.,
Plaintiffs,

v.
S/V ZEUS,
Defendant.

ORDER

This matter is before the Court on Plaintiffs' Motion to Commence Proceedings Supplementary and to Implead Third Parties and Memorandum in Support Thereof (DE # 126, 12/19/08). Rule 7.1(C), Local Rules for the United States District Court for the Southern District of Florida provides, in pertinent part that:

Each party opposing a motion shall serve an opposing memorandum of law no later than ten days after service of the motion as computed in the Federal Rules of Civil Procedure. **Failure to do so may be deemed sufficient cause for granting the motion by default.**

S.D. Fla. L. R. 7.1(C) (emphasis added). Having received no response from the defendants, and a response having been due, it is

ORDERED AND ADJUDGED, that the defendants shall file a response to Plaintiffs' Motion to Commence Proceedings Supplementary and to Implead Third Parties and Memorandum in Support Thereof (DE # 126, 12/19/08) on or before **Monday, February 2, 2009**. The failure to file a response may result in a recommendation that Plaintiffs' Motion to Commence Proceedings Supplementary and to Implead Third Parties and Memorandum in Support Thereof (DE # 126, 12/19/08) be granted in its entirety. **If the defendants do not oppose the instant motion, the defendants shall promptly file a notice of no opposition.**

DONE AND ORDERED, in Chambers, at Miami, Florida this **13th** day of January, 2009.



JOHN J. O'SULLIVAN
UNITED STATES MAGISTRATE JUDGE

Copies provided to:
United States District Judge Huck
All counsel of record