

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 06-20784-CIV-SEITZ/O'SULLIVAN

GARY and DIANNE BARNES,

Plaintiffs,

v.

CARNIVAL CORPORATION,  
Defendant.

\_\_\_\_\_ /

**ORDER**

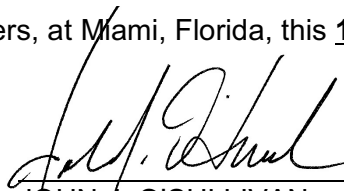
THIS MATTER comes before the Court on the Plaintiffs' Motion to Compel Payment of Plaintiff's Experts Witness Fee (DE # 253, 12/18/08). Rule 7.1(C), Local Rules for the United States District Court for the Southern District of Florida provides, in pertinent part:

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.** (Emphasis supplied).

Having received no response from the defendant, and a response having been due, it is

ORDERED AND ADJUDGED that the defendant shall file a response to the Plaintiffs' Motion to Compel Payment of Plaintiff's Experts Witness Fee (DE # 253, 12/18/08) on or before January 30, 2009. The failure to file a response may result in a recommendation or a ruling that the Plaintiffs' Motion to Compel Payment of Plaintiff's Experts Witness Fee (DE # 253, 12/18/08) be granted in its entirety.

DONE AND ORDERED, in Chambers, at Miami, Florida, this **16th** day of  
January, 2009.



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JOHN J. O'SULLIVAN  
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:  
United States District Judge Seitz  
All Counsel of Record