

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 06-21598-CIV-HUCK/O'SULLIVAN

CC-AVENTURA, INC., a  
Delaware Corporation, et al.,

Plaintiffs,

v.

THE WEITZ COMPANY, LLC, an  
Iowa Limited Liability Company et al.,Defendants.  

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**ORDER**

THIS MATTER is before the Court on the Motion to Compel Third-Party Metro Caulking & Waterproofing, Inc. (DE # 1277, 7/28/08). Rule 7.1(C), Local Rules for the United States District Court for the Southern District of Florida provides, in pertinent part:

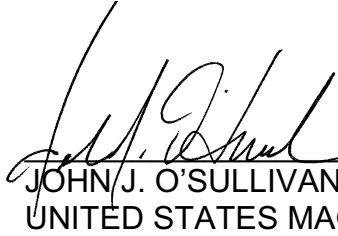
Each party opposing a motion shall serve an opposing memorandum of law no later than ten days after service of the motion as computed in the Federal Rules of Civil Procedure. **Failure to do so may be deemed sufficient cause for granting the motion by default.** (Emphasis supplied).

Having received no response from Metro Caulking & Waterproofing, Inc. , and a response having been due, it is

ORDERED AND ADJUDGED that the Motion to Compel Third-Party Metro Caulking & Waterproofing, Inc. (DE # 1277, 7/28/08) is GRANTED. Metro Caulking & Waterproofing, Inc. shall provide the outstanding discovery responses requested in the

instant motion.

DONE AND ORDERED, in Chambers, at Miami, Florida, this **15th** day of  
September, 2008.

  
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JOHN J. O'SULLIVAN  
UNITED STATES MAGISTRATE JUDGE

Copies provided to:  
The Honorable Judge Huck  
All Counsel of Record

Sent by Chambers to:

Robert William Wilkins, Esq.  
Jones, Foster, Johnston & Stubbs, PA  
505 S. Flagler Dr.  
Suite 1100  
West Palm Beach, FL 33401

Scott D. Rembold, Esq.  
Boger & Rembold  
2121 Ponce de Leon Blvd.  
Suite 600  
Coral Gables, FL 33134