

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 07-20630-CIV-O'SULLIVAN
[CONSENT]

DAVID PEREZ,

Plaintiff,

v.

MICHAEL COLLINS GRILLE INC.
d/b/a The Press Room and
DWIGHT NELSON,

Defendants.

ORDER

THIS MATTER comes before the Court on the Plaintiff's Motion to Compel Attendance at Deposition and Motion for Sanctions and/or for Entry of Order to Show Cause (DE # 35, 10/28/09). 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).

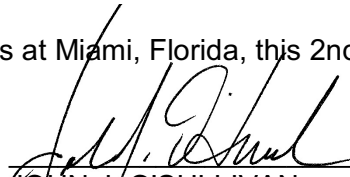
Accordingly, it is

ORDERED AND ADJUDGED that on or before November 16, 2009, the defendant, Dwight Nelson, shall file a response to the Plaintiff's Motion to Compel Attendance at Deposition and Motion for Sanctions and/or for Entry of Order to Show Cause (DE # 35, 10/28/09). The failure of the defendant, Dwight Nelson, to file a response to the Plaintiff's Motion to Compel Attendance at Deposition and Motion for Sanctions and/or for Entry of Order to Show Cause (DE # 35, 10/28/09) may result in an Order granting the Plaintiff's Motion to Compel Attendance at Deposition and Motion for Sanctions and/or for Entry of Order to Show

Cause (DE # 35, 10/28/09) in its entirety or may result in a holding of contempt, including, but not limited to, monetary fines and imprisonment. It is further

ORDERED AND ADJUDGED that the plaintiff's counsel shall serve the defendant, Dwight Nelson, with a copy of this Order via a process server and shall file a Notice with the Court upon completion of service.

DONE AND ORDERED in Chambers at Miami, Florida, this 2nd day of November 2009.



JOHN J. O'SULLIVAN
UNITED STATES MAGISTRATE JUDGE

Copies provided to:
All counsel and pro se parties of record