

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 07-22388-CIV-O'SULLIVAN

[CONSENT]

EDILBERTO HERNANDEZ,
and other similarly situated,
Plaintiff,

v.

H.O.N. CONSTRUCTION COMPANY,
INC., et al.,
Defendants.

ORDER

THIS MATTER comes before the Court on the Plaintiff's Motion for Final Default Judgment Pursuant to 29 U.S.C. 216(B) as to H.O.N. Construction Company, Inc. and Denis A. Lopez (DE # 47, 3/6/09). 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.**

S.D. Fla. L.R. 7.1(C)(emphasis added). Pursuant to the Local Rules, the defendants' response to the instant motion is due on March 23, 2009. *Id.* Accordingly, it is

ORDERED AND ADJUDGED that the defendants shall file a response to the Plaintiff's Motion for Final Default Judgment Pursuant to 29 U.S.C. 216(B) as to H.O.N. Construction Company, Inc. and Denis A. Lopez (DE # 47, 3/6/09) on or before **Monday, March 23, 2009**. The failure to file a response will result in an Order granting the Plaintiff's Motion for Final Default Judgment Pursuant to 29 U.S.C. 216(B) as to

H.O.N. Construction Company, Inc. and Denis A. Lopez (DE # 47, 3/6/09) in its entirety.

DONE AND ORDERED in Chambers at Miami, Florida this 9th day of March,
2009.



JOHN J. O'SULLIVAN
UNITED STATES MAGISTRATE JUDGE

Copies provided to:
All Counsel of Record

Copies mailed by Chambers to:

Denis A. Lopez
H.O.N. Construction Company, Inc.
16186 SW 86th Terrace
Miami, FL 33193

Denis A. Lopez
H.O.N. Construction Company, Inc.
13715 SW 139 Ct Bay 104
Miami, FL 33186