

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division

Case Number: 09-22090-CIV-MORENO

RUBY TURNER,

Plaintiff,

vs.

THE DISTRICT BOARD OF TRUSTEES OF MIAMI  
DADE COLLEGE formerly known as MIAMI DADE  
COMMUNITY COLLEGE,

Defendant.

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**TWENTY-ONE DAY NOTICE OF CONSIDERATION OF  
MOTION FOR SUMMARY JUDGMENT**

THIS CAUSE came before the Court upon Defendant's Motion for Summary Judgment (**D.E. No. 11**) filed on **February 26, 2010**. The Court provides this notice pursuant to Fed. R. Civ. P. 56(c).

THE COURT has considered the motion and the pertinent portions of the record, and being otherwise fully advised in the premises, it is

ADJUDGED that the Court will take the motion for summary judgment, all materials in support, and materials in opposition under consideration 21 days from when the Court files this order. Therefore, the opposing party's memorandum in opposition to the motion for summary judgment shall be filed no later than **March 22, 2010**. The parties may file sworn affidavits or other admissible material in opposition to the opposing parties' motion for summary judgment. The failure of a party to exercise its rights pursuant to this notice and Fed. R. Civ. P. 56 to file materials in opposition to a summary judgment motion may result in the Court accepting any of the moving party's uncontroverted evidence as true and may result in a final judgment being entered against the opposing party without the benefit of trial. *Celotex Corp. v. Catrett*, 477 U.S. 317 (1986).

DONE AND ORDERED in Chambers at Miami, Florida, this 4 day of March, 2010.

  
FEDERICO A. MORENO  
CHIEF UNITED STATES DISTRICT JUDGE

Copies provided to:  
Counsel of Record