

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 11-21798-CIV-JORDAN/O'SULLIVAN

WALTER LEBOWITZ,

Plaintiff,

v.

TOYOTA MOTOR SALES, USA, INC.,
LEXUS DIVISION,Defendant.
_____ /**ORDER**

THIS CAUSE is before the Court on Toyota Motor Sales' Motion to Quash or, in the Alternative, for Protective Order Directed at Plaintiff's "Second Request to Produce" (DE # 23, 7/8/11). Rule 7.1(C), Local Rules for the United States District Court for the Southern District of Florida provides, in pertinent part:

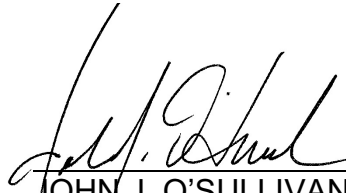
Each party opposing a motion shall serve an opposing memorandum of law no later than ten days after service of the motion as computed in the Federal Rules of Civil Procedure. **Failure to do so may be deemed sufficient cause for granting the motion by default.** (Emphasis supplied).

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

ORDERED AND ADJUDGED that the plaintiff shall file a response Toyota Motor Sales' Motion to Quash or, in the Alternative, for Protective Order Directed at Plaintiff's "Second Request to Produce" (DE # 23, 7/8/11) on or before September 6, 2011. The failure to file a response may result in an Order granting Toyota Motor Sales' Motion to Quash or, in the Alternative, for Protective Order Directed at Plaintiff's "Second Request

to Produce" (DE # 23, 7/8/11) in its entirety.

DONE AND ORDERED in Chambers at Miami, Florida this **23rd** day of
August, 2011.



JOHN J. O'SULLIVAN
UNITED STATES MAGISTRATE JUDGE

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