

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 12-20003-MC-LENARD/O'SULLIVAN

SCA TISSUE NORTH AMERICA, LLC,

Plaintiff,

v.

TARZANA ENTERPRISES, LLC,

Defendant.
_____ /**ORDER**

THIS CAUSE is before the Court on East Continental Supplies, LLC's Motion to Quash Subpoena (DE # 1, 1/3/12).

Having received no response to this motion, and a response having been due, the undersigned issued an Order on February 2, 2012, (DE # 7) requiring a response to East Continental Supplies, LLC's Motion to Quash Subpoena (DE # 1, 1/3/12) on or before February 16, 2012. The February 2, 2012, Order warned that the failure to file a response may result in an Order granting East Continental Supplies, LLC's Motion to Quash Subpoena (DE # 1, 1/3/12) in its entirety.

The February 2, 2012, Order also required East Continental Supplies, LLC to serve the Order on both the plaintiff and defendant in this matter and required East Continental Supplies, LLC to file a notice with the Court once it served the Order on both the plaintiff and defendant in this matter. On February 7, 2012, East Continental Supplies, LLC filed a Notice of Compliance with the Court indicating that East Continental Supplies, LLC had served the February 2, 2012, Order on both the plaintiff and the defendant via U.S. Mail.

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).

As of the date of this Order, neither the plaintiff nor the defendant have filed a response to East Continental Supplies, LLC's Motion to Quash Subpoena (DE # 1, 1/3/12).

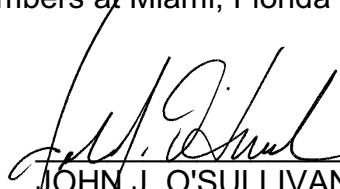
Accordingly, it is

ORDERED AND ADJUDGED that East Continental Supplies, LLC's Motion to Quash Subpoena (DE # 1, 1/3/12) is GRANTED. It is further

ORDERED AND ADJUDGED that East Continental Supplies, LLC shall serve this Order on both the plaintiff and defendant in this matter. It is further

ORDERED AND ADJUDGED that East Continental Supplies, LLC shall file a notice with the Court once it has served this Order on both the plaintiff and defendant in this matter.

DONE AND ORDERED in Chambers at Miami, Florida this 23rd day of February, 2012.



JOHN J. O'SULLIVAN
UNITED STATES MAGISTRATE JUDGE

Copies provided:
U.S. District Court Judge Lenard
All counsel on record