

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

J&J SPORTS PRODUCTIONS,
INC.,

Plaintiff,

v.

ENRIQUE F. CONTRERAS and ANA
M. CONTRERAS aka ANA M. PAZ,
individually and as alto egos of assumed
business entity GIROS EL GALLO,

Defendants.

Case No. 1:12-cv-00257-BLW

MEMORANDUM DECISION AND
ORDER

Before the Court is Ana M. Contreras's Motion to Dismiss (Dkt. 5).

J&J Sports Productions, Inc. brought this action against Ana M. Contreras and her husband, Enrique F. Contreras, alleging three claims: (1) a violation of the Communications Act of 1934, 47 U.S.C. § 605 *et seq.*; (2) a violation of the Cable and Television Consumer Protection and Competition Act of 1992, 47 U.S.C. § 553 *et seq.*; and (3) a claim for conversion. J&J's claims stem from a telecast boxing match that aired in the restaurant Ana and Enrique manage. Ana maintains that she did not engage in any of the allegedly wrongful conduct, and therefore J&J fails to state a claim against her. J&J did not file a response opposing the Motion.

MEMORANDUM DECISION AND ORDER - 1

Under Local Rule 7(e)(1), “if an adverse party fails to timely file any response documents required to be filed under this rule, such failure may be deemed to constitute a consent to...the granting of said motion or other application.” As noted, J&J failed to oppose Ana’s motion to dismiss by the deadline established in the Local Rules. Accordingly, pursuant to Local Rule 7(e)(1), the Court finds good cause for granting the defendants' unopposed motion to dismiss. *Ghazali v. Moran*, 46 F.3d 52, 53–54 (9th Cir.1995) (per curiam) (affirming grant of an unopposed motion to dismiss under local rule by deeming a pro se litigant's failure to oppose as consent to granting the motion); *Holt v. I.R.S.*, 231 Fed. Appx. 557, ——— 1 (9th Cir.2007) (same; and rejecting pro se plaintiff's contention that the district court should have warned her of the consequences of failing to file an opposition) .

ORDER

IT IS ORDERED that Ana M. Contreras’s Motion to Dismiss (Dkt. 5) is **GRANTED**.



DATED: September 13, 2012

A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

B. Lynn Winmill
Chief Judge
United States District Court