

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

ELVIS SLAYTON,

Plaintiff,

v.

No. 14-0424-DRH

**FERALLOY CORPORATION, and
INTERNATIONAL BROTHERHOOD
OF TEAMSTERS, LOCAL 688,**

Defendant.

ORDER

HERNDON, District Judge:

Pending before the Court is defendant, International Brotherhood of Teamsters, Local 688's May 29, 2015 motion for summary judgment (Docs. 39 & 40). Specifically, defendant maintains that it is entitled to summary judgment as plaintiff cannot carry his burden of demonstrating the existence of a genuine issue of material fact as related to his duty of fair representation claim against it. As of this date, plaintiff has not responded to the motion. Pursuant to Local Rule 7.1(c), the Court considers the failure to respond as an admission of the merits of the motion.¹ Thus, the Court **GRANTS** the motion for summary judgment on this claim. At the close of the case, the Court **DIRECTS** the Clerk of the Court to enter

¹ "An adverse party in a civil case shall have 30 days after service of a motion listed above to file a response. ... Failure to timely file a response to a motion may, in the Court's discretion, be considered an admission of the merits of the motion." Local Rule 7.1(c).

judgment in favor of International Brotherhood of Teamsters, Local 688, and against Elvis Slayton.

IT IS SO ORDERED.

Signed this 28th day of July, 2015.

David R. Herndon



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David R. Herndon
Date: 2015.07.28
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United States District Judge