

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

CHARLENA STEWART, ET AL

CIVIL ACTION

VERSUS

NO. 07-8809

BALBOA INSURANCE CO.

SECTION "N" (4)

ORDER AND REASONS

Local Rule 7.5 of the Eastern District of Louisiana requires that a memorandum in opposition to a motion be filed eight days prior to the noticed submission date. No memorandum in opposition to the following motion, noticed for submission on November 28, 2012, was filed:

“Motion of Balboa Insurance Company to Dismiss” (Rec. Doc. 4).

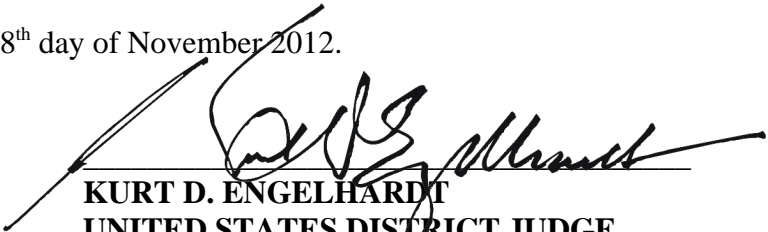
Further, the Court finds that the motion has merit. Accordingly,

IT IS ORDERED that the above motion is hereby **GRANTED**, and the plaintiffs’ claims against Balboa Insurance Company are hereby **DISMISSED**.

A motion for reconsideration of this Order, if any, must be filed within twenty-eight days of the date this Order is entered by the Clerk of Court. The motion must be accompanied by opposition memorandum to the original motion. Because a motion for reconsideration would not have been necessary had a timely opposition memorandum been filed, the costs incurred in connection with the motion, including attorneys' fees, will be assessed against the party moving for reconsideration. *See* FED. R. CIV. P. 16, 83. A statement of costs conforming to Local Rule

54.3 shall be submitted by all parties desiring to be awarded costs and attorneys' fees no later than eight days prior to the hearing on the motion for reconsideration.

New Orleans, Louisiana, this 28th day of November 2012.



KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE