

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

MERRY JOHNSON

CIVIL ACTION

VERSUS

NO. 09-2095

FIDELITY NATIONAL PROPERTY  
AND CASUALTY INSURANCE COMPANY

SECTION "N" (4)

**ORDER AND REASONS**

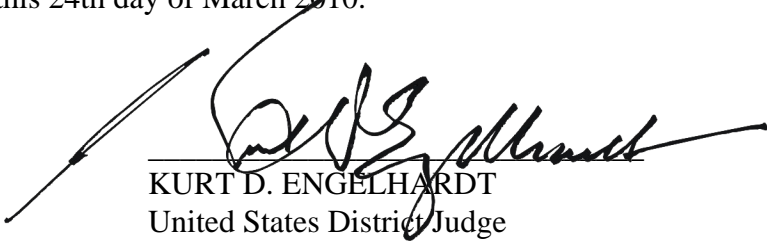
Local Rule 7.5E of the Eastern District of Louisiana requires that a memorandum in opposition to a motion be filed and that a copy be delivered to chambers eight days prior to the date set for hearing of the motion. No memorandum in opposition to the Motion for Summary Judgment (Rec. Doc. 16), set for hearing on March 24, 2010, was filed. Further, it appears to the Court that this motion has merit. Accordingly,

**IT IS ORDERED** that the Motion for Summary Judgment (Rec. Doc. 16) should be and is hereby **GRANTED**. Thus, Plaintiff's lawsuit is dismissed in its entirety, with prejudice, at Plaintiff's costs.

A motion for reconsideration of this Order, if any, must be filed within ten 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 of the motion for reconsideration.

New Orleans, Louisiana, this 24th day of March 2010.



KURT D. ENGELHARDT  
United States District Judge