

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

MARTHA SANDS AND JACK SANDS

CIVIL ACTION

VERSUS

NO. 11-2884

WELLS FARGO BANK, N.A.

SECTION B(5)

ORDER

Before the Court is Defendant Wells Fargo Bank, N.A.'s Rule 12(b)(6) Motion to Dismiss (Rec. Doc. No. 5). Local Rule 7.5 of the Eastern District of Louisiana as amended and effective February 1, 2011 requires that memoranda in opposition with citations of authorities be filed **and** served no later than eight days before the noticed submission date. No memoranda in opposition to the motion, set for submission on **March 7, 2012**, has been submitted. Further, no one has filed a motion to continue the noticed submission date or filed a motion for extension of time within which to oppose the motion. Accordingly, the motion is deemed to be unopposed, and, further, it appearing to the Court that the motion has merit,

**IT IS ORDERED** that said motion is **GRANTED**.

A motion for reconsideration of this order based on the appropriate Federal Rule of Civil Procedure, if any, must be filed within thirty (30) days of this order. The motion must be accompanied by opposition memoranda to the original motions. Because such a motion would not have been necessary had timely

opposition memoranda been filed, the costs incurred in connection with the motion, including attorney's 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 attorney's fees no later than eight (8) days prior to the noticed submission date of the motion for reconsideration.

New Orleans, Louisiana, this 16<sup>TH</sup> day of March, 2012.

  
UNITED STATES DISTRICT JUDGE