

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**CECILE RISING,  
Plaintiff**

**CIVIL ACTION**

**VERSUS**

**No. 13-5665**

**ASSURANT SPECIALTY PROPERTY  
INSURANCE COMPANY AND  
THE NATIONAL FLOOD  
INSURANCE PROGRAM,  
Defendants**

**SECTION "E"**

**ORDER**

Before the Court is defendant Assurant Specialty Property Insurance Company's ("Assurant") Motion to Dismiss plaintiff's extra-contractual claims.<sup>1</sup> Assurant's motion was noticed for submission on October 9, 2013. Local Rule 7.5 requires that memoranda in opposition to a motion be filed eight days prior to the noticed submission date. Plaintiff Cecile Rising ("Rising") did not file a timely opposition to Assurant's motion. Instead, Rising filed a notice stating she has no opposition to Assurant's motion.<sup>2</sup>

Accordingly, as Assurant's motion is unopposed, **IT IS ORDERED** that Assurant's Motion to Dismiss plaintiff's extra-contractual claims be and hereby is **GRANTED**. Rising's breach of contract claims remain.

**New Orleans, Louisiana, this 31st day of October, 2013.**

  
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**SUSIE MORGAN  
UNITED STATES DISTRICT JUDGE**

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<sup>1</sup>R. Doc. 3.

<sup>2</sup>R. Doc. 6.