

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

J&J SPORTS PRODUCTIONS, INC.

CIVIL ACTION

VERSUS

NO. 14-1332

NEYOW'S CREOLE CAFE, LLC,  
TANYA PETERS DUBUCLET, and  
TANA MONTREL

SECTION "N" (5)

**ORDER AND REASONS**

A number of motions are presently pending in the above-captioned matter. The Court rules on them as stated herein.

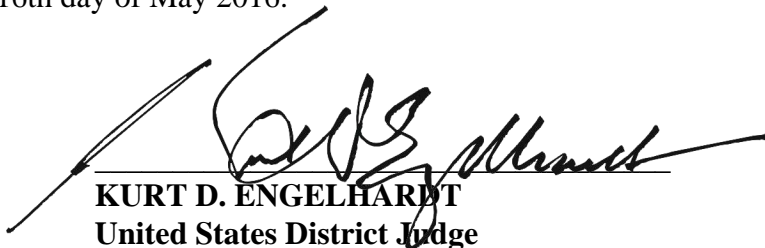
**IT IS ORDERED** that Defendants' "Motion to Dismiss Pursuant to FRCP12(b)(6)" (Rec. Doc. 37) is **DENIED** for essentially the same reasons set forth in Plaintiff's opposition memorandum (Rec. Doc. 41). Additional information regarding the factual bases of Plaintiff's claims can be obtained by Defendants through discovery, whereas any valid pre-trial defenses can be asserted by means of properly submitted *and* supported Rule 56 motion practice.

In an abundance of caution, given Defendants' eventual filing of the instant motion to dismiss (Rec. Doc. 37), **IT IS FURTHER ORDERED** that Plaintiff's motion for default (Rec. Doc. 31) and second motion to strike (Rec. Doc. 40) are **DENIED**, and Defendants' motions for extensions of time to file (Rec. Docs. 35 and 36) are **MOOT**. Nevertheless, although the Court has declined to grant Plaintiff's most recent motions, defense counsel's repeated submission of erroneous, contradictory, duplicative, and/or incomplete documents in this matter has not gone

unnoticed by the Court. The same is true of defense counsel's seeming disregard of the Court's deadlines. See Rec. Docs. 12-16, 18-19, 22, 23-25, 29-30, and 33-36. Given the foregoing, **IT IS FURTHER ORDERED** that defense counsel, George Martin Gates, IV, show cause in writing, on or before Wednesday, May 25, 2016, at 5:00 p.m, why he should not be required, pursuant to 28 U.S.C. §1927, to pay Plaintiff's reasonable attorney's fees and costs expended in preparation of its most recent motion for default (Rec. Doc. 31) and second motion to strike (Rec. Doc. 40).

**IT IS FINALLY ORDERED** that any documents hereinafter filed in this proceeding by defense counsel, on behalf of Defendants, *must* be accompanied by a certification by counsel of record that he has (1) thoroughly familiarized himself with the Court's record in this matter and (2) *personally* reviewed all of the document(s) being filed to confirm their accuracy and compliance with the Federal Rules of Civil Procedure and the Local Rules of this Court. Finally, any questions regarding the mechanics of filing in the CM/ECF system and/or deficiency notices issues by the Clerk of Court are to *promptly* be addressed the CM/ECF Help Desk at 504-589-7788, CM/ECF Technical Support at 504-589-7773, and/or Case Manager Cherie Stouder at 504-589-7683.

New Orleans, Louisiana, this 16th day of May 2016.

  
KURT D. ENGELHART  
United States District Judge