

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

MARK WHITICAR

CIVIL ACTION

VERSUS

NO. 16-10419

MR. NORMAN FOSTER, ET AL.

SECTION "N" (1)

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 provided to the hearing judge eight days prior to the date set for the motion to be submitted. No memoranda in opposition to the following motions set for submission on October 26, 2016, have been filed to date:

“MOTION TO DISMISS WANDA NEWMAN” (Rec. Doc. 6)

and

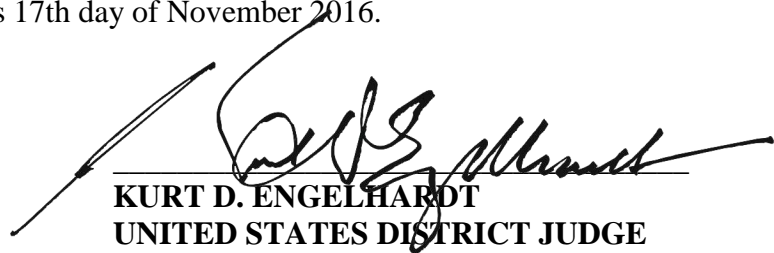
“DEFENDANTS’ MOTION TO DISMISS PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(B)(1)” (Rec. Doc. 12)

Accordingly, given that the Court has previously indulged Plaintiff Mark Whiticar with a 60-day extension of time to file an opposition and his subsequent failure to oppose the instant motions, **IT IS ORDERED** that the motions are hereby **GRANTED** in favor of Wanda Newman, Chad Dyer, and Norman Foster.

A motion for reconsideration of this Order, if any, must be filed within fourteen (14) 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 17th day of November 2016.



KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE