

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

ERIC V. CHEFFEN

CIVIL ACTION

VERSUS

NO. 16-16577

OFS, INC., ET AL

SECTION "B" (1)

ORDER AND REASONS

Before the Court are Defendant Packard Pipe's "Motion to Dismiss" (Rec. Doc. 14), Defendants, OFS, Inc., Michelle Falgout and Chevron Oil Company's "Motion to Dismiss" (Rec. Doc. 17), Defendant Michelle Williams' "Motion to Dismiss" (Rec. Doc. 19), Defendants Wesley Clark, M.D. and Jefferson Orthopedic Clinic's "Motion to Dismiss" (Rec. Doc. 21) and Travelers Casualty and Surety Company's "Motion to Dismiss" (Rec. Doc. 22),

Local Rule 7.5 of the Eastern District of Louisiana requires that memoranda in opposition with citations of authorities be filed **and** served no later than eight (8) days before the noticed submission date. No memoranda in opposition to the instant motions, set for submission on **June 7, 2017** have been submitted. The Court granted the Plaintiff an extension from the original May 10, 2017 submission date in order to acquire legal counsel and file oppositions (Rec. Doc. 24). No party has filed a motion to continue the noticed June 7, 2017 submission date or filed a motion for extension of time within which to oppose the motions. Accordingly,

the motions are deemed to be unopposed. It appearing to this Court that the motions have merit,

**IT IS ORDERED** that the motions to dismiss are **GRANTED** and Plaintiff's claims against Defendants, Packard Pipe, OFS, Inc., Michelle Falgout, Chevron Oil Company, Michelle Williams, Wesley Clark, M.D., Jefferson Orthopedic Clinic and Travelers Casualty and Surety Company are hereby **DISMISSED WITH PREJUDICE**.

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 motion.

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 21st day of June, 2017.

A handwritten signature in black ink, appearing to read "Louis Lavelle", written over a horizontal line.

SENIOR UNITED STATES DISTRICT JUDGE