

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

JAMAL THOMAS

CIVIL ACTION

VERSUS

NO. 17-6097

ABC INSURANCE COMPANY, ET AL

SECTION "B"(3)

ORDER AND REASONS

Before the Court is Defendant's, Rain CII Carbon LLC "Motion for More Definite Statement Pursuant to Rule 12(e) of the Federal Rules of Civil Procedure" (Rec. Doc. 4). 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 motion, set for submission on **July 19, 2017**, have been submitted. Further, no party 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. It appearing to this Court that the motion has merit,

IT IS ORDERED that the motion for a more definite statement is **GRANTED**.

IT IS FURTHER ORDERED that the Plaintiff amend his pleadings by **August 18, 2017** and (1) describe and identify the alleged hazardous and dangerous condition on the Defendant's property that

alleged caused his injury; (2) the alleged defect to which he alleges he should have received notice; and (3) the nature and location of his alleged physical injuries suffered as a result of the event on May 26, 2016.

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, may 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 1st day of August, 2017.

A handwritten signature in black ink, appearing to read "James R. Linder", written over a horizontal line.

SENIOR UNITED STATES DISTRICT JUDGE