

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA
2009 JUL 14 P 2:16

JOANNE TRAVIS AND SYLVIA
SMITH

VERSUS

JACOB LAICHE, ET AL

CIVIL ACTION

NO. 07-695-JVP-SCR

NOTICE TO COUNSEL

On March 11, 2009, this court denied defendants' first motion for summary judgment because defendants failed to comply with Uniform Local Rule 56.1 (doc. 35). Defendants, however, were instructed that the court would entertain a motion for summary judgment if defendants set forth a motion that complied with the court's Local Rules. That motion (doc. 36) is now before the court and defendants have complied with Local Rule 56.1 by setting forth a statement of material facts that they claim are material to the motion.

In opposition to the motion, plaintiffs have filed a document captioned, Statement of Contested Material Facts (doc. 37-2). That document, however, lists a series of issues and does not controvert any of the facts alleged by defendants in their statement of undisputed facts. According to the Uniform Local Rules:

Each copy of the papers opposing a motion for summary judgment shall include a separate, short and concise statement of the material facts as to which there exists a

genuine issue to be tried. All material facts set forth in the statement required to be served by the moving party will be deemed admitted, for purposes of the motion, unless controverted as required by this rule.

LR 56.2.

The court, having given defendants an opportunity to resubmit the motion for summary judgment so as to comply with this court's Local Rules, now provides the same opportunity to plaintiffs with regard to their opposition to the motion.

Accordingly, within ten days of issuance of this order, plaintiffs shall either comply with Uniform Local Rule 56.2 by filing a short and concise statement of material *facts* as to which there exists a genuine issue to be tried, or the uncontroverted facts alleged by defendants in the Statement of Undisputed Facts (doc. 36-2) will be deemed admitted for purposes of the motion for summary judgment.

Baton Rouge, Louisiana, July 14th, 2009.



JAMES J. BRADY
UNITED STATES DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA