

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

TABITHA CAIN

CIVIL ACTION

VERSUS

NO. 12-04

DOUGLAS McCULLOUGH, ET AL

SECTION "N" (3)

ORDER AND REASONS

In accordance with this Court's Order of February 9, 2012 (Rec. Doc. 3), the Local Rules of the Eastern District of Louisiana apply to this matter. Local Rule 7.5 of the Eastern District of Louisiana requires that a memorandum in opposition to a motion be filed eight days prior to the noticed submission date. No memoranda in opposition to the following motions, noticed for submission on November 14, 2012, were timely filed:

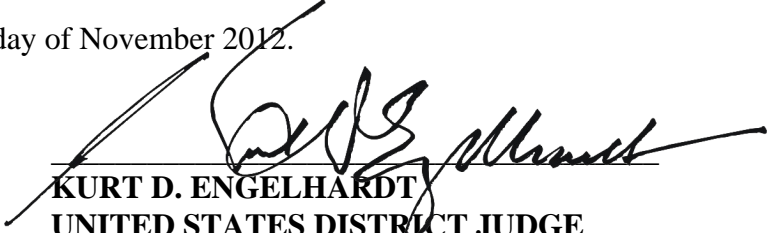
- (1) the "**Motion for Partial Summary Judgment**" (Rec. Doc. 20), filed by the defendants;
- (2) the "**Motion to Exclude Expert Testimony of Plaintiff's Accident Reconstruction Specialist**" (Rec. Doc. 22), filed by the defendants; and
- (3) the "**Motion to Exclude Photographs**" (Rec. Doc. 24), filed by the defendants.

Further, the Court finds that the motions have merit. Accordingly,

IT IS ORDERED that each of the above motions is hereby **GRANTED**.

A motion for reconsideration of this Order, if any, must be filed within twenty-eight 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 on the motion for reconsideration.

New Orleans, Louisiana, this 9th day of November 2012.


KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE