

**UNITED STATES DISTRICT COURT**  
**MIDDLE DISTRICT OF LOUISIANA**

MARY CROCHET

CIVIL ACTION

VERSUS

18-150-SDD-RLB

JARED BARTON, DENNIS BARTON,  
BARTON TRUCKING, INC., NATIONAL  
INDEMNITY COMPANY, BOBBY BAILEY,  
AND XYZ INSURANCE CO.

**RULING**

This matter is before the Court on the *Motion for Summary Judgment*<sup>1</sup> filed by Defendant, Ohio Security Insurance Company (“Defendant”). No opposition to this motion has been filed.

Local Rule 7(f) of the Middle District of Louisiana requires that memoranda in opposition to a motion be filed within twenty-one (21) days after service of the motion. Despite this rule, Plaintiff, Mary Crochet (“Plaintiff”) failed to timely oppose this motion. Defendant’s motion was electronically filed on June 24, 2019. Under the Federal Rules of Civil Procedure and the Local Rules of Court, Plaintiff was required to file an opposition no later than July 15, 2019. At no time did Plaintiff request an extension of time to oppose this motion.

Therefore, the pending motion is deemed to be unopposed and further, after reviewing the record, the Court finds that the Motion has merit, particularly because

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<sup>1</sup> Rec. Doc. No. 50.  
Document Number: 53035

Defendant's *Statement of Undisputed Facts*<sup>2</sup> is uncontroverted, and the summary judgment evidence submitted supports Defendant's arguments.

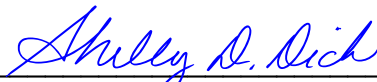
Accordingly, **IT IS HEREBY ORDERED** that Defendant's *Motion for Summary Judgment*<sup>3</sup> is GRANTED, and Defendant Ohio Security Insurance Company is dismissed from this action with prejudice.

Any response to this *Ruling*, which should explain the Plaintiffs' failure to comply with the Court's deadlines, based on the appropriate Federal Rule of Civil Procedure, shall be filed within fourteen (14) days and must be accompanied by an opposition memorandum to the original Motion.

On review of the pleadings filed along with the opposition, the Court, at its discretion, may assess costs, including attorney's fees, against the moving party, if the Court deems that such a motion was unnecessary had a timely opposition memorandum been filed.<sup>4</sup> A statement of costs conforming to L.R. 54(c) shall be submitted by all parties desiring to be awarded costs and attorney's fees no later than seven (7) days prior to the hearing on the newly filed motion.

**IT IS SO ORDERED.**

Baton Rouge, Louisiana, this 14th day of August, 2019.

  
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**SHELLY D. DICK**  
**CHIEF DISTRICT JUDGE**  
**MIDDLE DISTRICT OF LOUISIANA**

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<sup>2</sup> Rec. Doc. No. 50-2.

<sup>3</sup> Rec. Doc. No. 48.

<sup>4</sup> See Fed. R. Civ. P. 16, 83.