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5 **IN THE UNITED STATES DISTRICT COURT**
 6 **DISTRICT OF NEVADA**

7	JAY C. and SHERENE WHITING, Husband)	CASE NO. 2:11-cv-01968-GMN-PAL
8	and Wife,)	
9	Plaintiffs,)	
10	v.)	ORDER GRANTING AURORA BANK,
11	AURORA BANK, FSB; and QUALITY)	FSB'S AND QUALITY LOAN SERVICE
12	LOAN SERVICE CORP.,)	CORP'S MOTION TO DISMISS
13	Defendants.)	
14)	

15 Defendants, Aurora Bank, FSB and Quality Loan Service Corp., filed a Motion to
 16 Dismiss Plaintiffs' Complaint pursuant to FRCP 12(b)(6) on December 13, 2011 (Docket No. 7).
 17 The Docket Report and this Court's Minute Order of December 14, 2011 indicates that a
 18 Response to the Motion to Dismiss was due at the latest by December 31, 2011. No Response
 19 has been filed.

20 The Court having considered the moving papers, its own files, and good cause appearing,
 21 rules as follows:

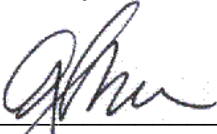
22 1. Pursuant to Local Rule 7-2(b), any Response and/or Opposition to the Motion to
 23 Dismiss was required to be filed with the Court and served within fourteen days after service of
 24 the motion. No Response and/or Opposition has been filed by the Plaintiffs regarding this
 25 matter. Pursuant to Local Rule 7-2(d), the failure of an opposing party to file Points and
 26 Authorities in response to any Motion shall constitute consent to the granting of the motion.

27 2. The Court may grant the Motion to Dismiss for failure to follow local rules. Ghazali
 28 v. Moran, 46 F.3d 52 (9th Cir. 1995). Before dismissing the action, the district court is required

1 to weigh several factors: (1) the public's interest in expeditious resolution of litigation; (2) the
2 court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy
3 favoring disposition of cases of their merits; and (5) the availability of less drastic sanctions.
4 The Court has considered these factors and finds that Plaintiffs have received notice and have
5 been given ample time to respond.

6 IT IS THEREFORE ORDERED, that based on the foregoing, the Motion to Dismiss is
7 GRANTED and Defendants, Aurora Bank, FSB and Quality Loan Service Corp., are hereby
8 dismissed with prejudice.

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10 **IT IS SO ORDERED** this 5th day of January, 2012.

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14 Gloria M. Navarro
15 United States District Judge
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