| 1 | UNITED STATES DISTRICT COURT | |
|--------|--|---------------------------------------|
| 2 | DISTRICT OF NEVADA | |
| 3 | Alan R. Engel aka Ari Engel, | |
| 4 | Plaintiff | Case No.: 2-13-cv-00672-JAD-PAL |
| 5 | VS. | Order Re: Docs. 37, 39 |
| 6 7 | Jan Siroky, Tom Cleary, Walter Milgroom, Arthur Goltz, Dennis Kohler, and Does 1-5, | |
| 8 | Defendants | |
| 9 | Pro se defendants Jan Siroky and Walter Milgroom moved for "summary judgment and | |
| 10 | dismissal" on January 26 and 28, 2015, respectively. Docs. 37, 39. The arguments in both motions | |
| 11 | are identical: plaintiff Alan R. Engel has failed to prosecute this lawsuit by, inter alia, conducting | |
| 12 | discovery, making expert disclosures, or assisting in filing a joint pretrial order by the January 7, | |
| 13 | 2015, deadline. Doc. 37 at 1. Although neither motion is fully briefed, I deny both based on their | |
| 14 | obvious failure to comply with the rules for presenting summary judgment motions. | |
| 15 | This is not the first time I have advised Siroky and Milgroom of the rules for properly | |
| 16 | presenting motions for summary judgment. In a February 14, 2014, order, I denied Siroky and | |
| 17 | Milgroom's previous motions for summary judgment, Docs. 10, 13, 18, 19, on the grounds that: | |
| 18 | Siroky and Milgroom seek summary judgment on the simple, unsworn assertion that plaintiff "has no evidence of any kind" to show a "conspiracy to harm him." | |
| 19 | Docs. 10, 13, 18, 19. Their single-page filings do not contain the statement of facts required by LR 56-1. And they have failed to identify anything in the record that demonstrates the absence of evidence to support Plaintiff's claims. Siroky and Milgroom have failed to discharge their initial burdens and summary judgment would be improper based upon their motions as presented. | o not contain the statement of facts |
| 20 | | Plaintiff's claims. Siroky and |
| 21 | | |
| 22 | Doc. 32 at 4. Identical problems prevent Siroky and Mi | lgroom's new motions from getting any |
| 23 | traction. Both motions are two pages long, contain no proper affidavits or other admissible | |
| 24 | evidence, fail to cite to the record in this case, and lack the statement of undisputed facts required by | |
| 25 | this District's Local Rule 56-1. In the interests of judicial economy, I need not wait for Engel's | |
| 26 | responses to these motions before disposing of them. Incorporating the analysis of Doc. 32 herein | |
| 27 | by reference, I deny both motions for summary judgment for the same reasons articulated in Doc. | |
| 28 | 32. | |

| 1 | Accordingly, it is HEREBY ORDERED that Milgroom's Motion for Summary Judgment | |
|----------|---|--|
| 2 | [Doc. 37] is DENIED. | |
| 3 | It is FURTHER ORDERED that Siroky's Motion for Summary Judgment and Dismissal | |
| 4 | [Doc. 39] is DENIED. | |
| 5 | DATED February 12, 2015. | |
| 6 | Xodec | |
| 7 | Jennifer A. Dorsey United States District Jurge | |
| 8 | Office States District Judge | |
| 9 | | |
| 10 | | |
| 11 | | |
| 12 | | |
| 13 | | |
| 14 | | |
| 15 | | |
| 16 | | |
| 17 | | |
| 18 | | |
| 19 | | |
| 20 | | |
| 21 | | |
| 22 | | |
| 23 | | |
| 24 25 | | |
| 23 26 | | |
| 20 27 | | |
| 27 | | |
| 20 | | |
| | 2 | |