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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

3 Maria Correa, et al.,

4 Plaintiffs

5 v.

6 Las Vegas Metropolitan Police Department,
7 et al.,

8 Defendants

Case No.: 2:16-cv-01852-JAD-NJK

**Order Granting Unopposed
Motion in Limine and
Directing Plaintiffs to Show Cause
Why This Case Should Not Be Dismissed**

[ECF No. 74]

9 This wrongful-death case arises out of the shooting death of Abel Correa by Las Vegas
10 Metropolitan Police Department (LVMPD) officers Glenn Taylor and Eli Prunchak. In
11 anticipation of the trial that is scheduled to begin on December 17, 2019, defendants move in
12 limine to preclude plaintiffs from presenting any evidence of their damages because the plaintiffs
13 failed to disclose or compute their damages as Federal Rule of Civil Procedure 26(a)((1)(A)
14 requires and the plaintiffs identified no medical-care providers or other experts who can testify
15 about their claimed emotional-distress damages.¹

16 Any opposition to that motion was due two days ago.² Plaintiffs, who are represented by
17 counsel, have not filed such an opposition or moved to extend the time to do so. Local Rule 7-
18 2(d) provides that “[t]he failure of an opposing party to file points and authorities in response to
19 any motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney’s fees, constitutes
20 a consent to the granting of the motion.” I construe the plaintiffs’ failure to oppose this motion
21 as their consent to granting it. And with good cause appearing, IT IS HEREBY ORDERED that

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23 ¹ ECF No. 74.

² LR 7-2(b); ECF No. 74 (minute order).

1 the Defendants' Motion in Limine [ECF No. 74] is **GRANTED**; plaintiffs are precluded from
2 **introducing any evidence of damages at trial.**

3 IT IS FURTHER ORDERED that the **plaintiffs have until December 2, 2019, to**
4 **SHOW CAUSE in writing why this case should not be dismissed and the trial vacated for**
5 **inability to prove a required element of their claims at trial.** If plaintiffs file a response to
6 this order to show cause, defendants will have until December 6, 2019, to file a written response.
7 No further briefing will be permitted.

8 Dated: November 20, 2019

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12 U.S. District Judge Jennifer A. Dorsey
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