

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3  
4 Jacque Ojadidi,  
5 Plaintiff

6 v.

7 Allstate Property and Casualty Insurance  
8 Company,

9 Defendant

2:16-cv-02833-JAD-GWF

Order Granting Motion to Dismiss

ECF No. 43

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11 Plaintiff Jacque Ojadidi brought this action against his homeowners' insurance carrier  
12 Allstate Property and Casualty Insurance Company after Allstate denied his claim arising from a  
13 February 2015 burglary of what he alleged was nearly \$150,000 in vintage jewelry. Allstate  
14 moves to dismiss all 13 of his claims, which range from breach of contract to intentional  
15 infliction of emotional distress, racketeering, and extortion.<sup>1</sup> Ojadidi has not opposed the motion  
16 to dismiss, his deadline to do so expired more than two weeks ago, and he has not sought an  
17 extension of that deadline.

18 Local Rule 7-2(d) states that "The failure of an opposing party to file points and  
19 authorities in response to any motion," except one for summary judgment or attorneys' fees,  
20 "constitutes a consent to the granting of the motion."<sup>2</sup> Ojadidi's failure to oppose Allstate's  
21 motion to dismiss constitutes his consent to the granting of this motion to dismiss, and I grant the  
22 motion in its entirety on this basis.

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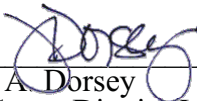
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26 <sup>1</sup> ECF No. 43. I find this motion suitable for disposition without oral argument. Nev. L.R. 78-1.

27 <sup>2</sup> Nev. L.R. 7-2(d). Pro se plaintiff Ojadidi was timely provided with the notice required under  
28 *Rand v. Rowland*, 154 F.3d 952 (9th Cir. 1998) (en banc), *Wyatt v. Terhune*, 315 F.3d 1108 (9th  
Cir. 2003), and *Klinge v. Eikenberry*, 849 F.2d 409 (9th Cir. 1988). ECF No. 44.

1           Accordingly, IT IS HEREBY ORDERED that Defendant's Motion to Dismiss [ECF No.  
2 **43] is GRANTED.** Ojadidi's claims are dismissed, and the Clerk of Court is directed to CLOSE  
3 THIS CASE.

4           DATED: February 8, 2017

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7 Jennifer A. Dorsey  
8 United States District Judge  
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