

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 CAROLYN HAYES,

4 Plaintiff

5 v.

6 GKS DEVELOPMENT, INC.,

7 Defendant

Case No.: 2:23-cv-01678-APG-BNW

Order Granting Second Motion to Dismiss

[ECF No. 22]

8 Plaintiff Carolyn Hayes sues her former employer, defendant GKS Development, Inc.
9 ECF No. 5. I granted GKS’s prior motion to dismiss because Hayes did not properly serve GKS.
10 ECF No. 18. GKS again moves to dismiss, arguing that Hayes has again failed to properly serve
11 it. ECF No. 22. Hayes did not oppose the motion. Local Rule 7-2(d) provides that “[t]he failure
12 of an opposing party to file points and authorities in response to any motion . . . constitutes a
13 consent to the granting of the motion.” I therefore grant GKS’s motion as unopposed.

14 However, because it is possible that Hayes could effect proper service, I will grant her
15 one final chance to do so. I again encourage Hayes to review Federal Rule of Civil Procedure 4
16 to understand how to properly serve GKS.

17 I THEREFORE ORDER that defendant GKS’s motion to dismiss (**ECF No. 22**) is
18 **granted as unopposed.**

19 I FURTHER ORDER that plaintiff Carolyn Hayes has until June 5, 2024 to properly
20 serve defendant GKS Development, Inc.

21 DATED this 8th day of May, 2024.

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ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE