

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

THE LONG TRUST

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§

v.

Case No. 6:09-cv-311

STATE FARM LLOYDS

**MEMORANDUM OPINION AND ORDER**


Before the Court is Defendant State Farm Lloyd's Motion for Summary Judgment on Plaintiff's: (1) Breach of Fiduciary Duty Claim, (2) Unfair or Deceptive Practices Claim, (3) Unfair Claim Settlement Practices Claim, and (4) Breach of the Duty of Good Faith and Fair Dealing Claim. (Doc. No. 25). Plaintiff failed to file any responsive filings to the motion for summary judgment. Under Local Rule CV-7(d), when a party fails to oppose a motion, the Court will assume there is no opposition to the motion.

Further, pursuant to Local Rule CV-56(c), the Court will assume that Defendant's version of the facts as claimed and supported by evidence is without controversy. Given the uncontroverted facts and the applicable law, Defendant is entitled to judgment as a matter of law under Fed. R. Civ. P. 56 as to the following claims: (1) Breach of Fiduciary Duty Claim, (2) Unfair or Deceptive Practices Claim, (3) Unfair Claim Settlement Practices Claim, and (4) Breach of the Duty of Good Faith and Fair Dealing Claim.

Accordingly, Defendant State Farm Lloyd's motion for summary judgment (Doc. No. 25) is hereby **GRANTED.**

**It is SO ORDERED.**

**SIGNED this 20th day of May, 2010.**

  
 MICHAEL H. SCHNEIDER  
 UNITED STATES DISTRICT JUDGE