
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

MARK EDWARD TOWNER,

Plaintiff,

v.

USAA FEDERAL SAVINGS BANK,
doing business as USAA FINANCIAL
SERVICES,

Defendant.

MEMORANDUM DECISION

Case No. 2:14-cv-00148-DN-DBP

District Judge David Nuffer

Magistrate Judge Dustin B. Pead

This matter was referred to the Court under 28 U.S.C. § 636(b)(1)(B). (Docket Nos. 4; 16.) On February 28, 2014, pro se Plaintiff filed a complaint against Defendant. (Dkt. No. 1.) On April 1, 2014, Defendant answered the complaint. (Dkt. No. 7.)

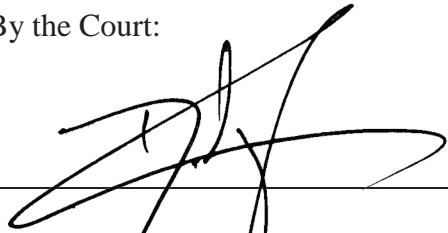
On May 29, 2014, Defendant filed the present motion to amend its answer. (Dkt. No. 16.) Defendant moves to amend its answer to assert a counterclaim against Plaintiff. (*Id.*) Plaintiff has not responded to Defendant's motion, and the time to respond has expired. DUCivR 7-1(b)(3)(B) (requiring parties to file opposition memorandums to such motions "within fourteen (14) days after service of the motion . . .").

Given Plaintiff's failure to respond to Defendant's motion, this Court **GRANTS** Defendant's motion to amend its answer. (Dkt. No. 16.) *See* DUCivR 7-1(d) ("Failure to respond timely to a

motion may result in the court's granting the motion without further notice."). Defendant must file its amended answer by **July 8, 2014**.

Dated this 23rd day of June, 2014.

By the Court:



Dustin B. Pead
United States Magistrate Judge