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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

8 TOBIN E. KJELLAND,

9 Plaintiff,

10 v.

11 CITIMORTGAGE, INC.,

12 Defendant.

Case No. C11-0640RSL

ORDER GRANTING MOTION TO
DISMISS

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14 This matter comes before the Court on “Defendant Citimortgage, Inc.’s Motion to
15 Dismiss.” Dkt. # 21. The motion was originally filed on February 22, 2012, but was continued
16 by agreement of the parties to allow plaintiff an opportunity to apply for a loan modification. On
17 August 3, 2012, the motion was renoted for consideration on August 31, 2012. Although the
18 parties subsequently stipulated to an extension of the trial and related dates, they specifically
19 excluded from the extension the pending motion to dismiss. See Dkt. # 34 at 2. Thus, the
20 motion is now ripe for consideration.

21 Plaintiff has not opposed defendant’s motion to dismiss, and the Court considers
22 such a failure to be “an admission that the motion has merit.” Local Civil Rule 7(b)(2).
23 Defendant’s motion is therefore GRANTED, and plaintiff’s claims are hereby DISMISSED.
24 The Clerk of Court is directed to enter judgment in favor of defendant and against plaintiff.
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ORDER GRANTING MOTION TO DISMISS - 1

Dated this 14th day of September, 2012.



Robert S. Lasnik
United States District Judge

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