

THE HONORABLE JUDGE RICHARD A. JONES

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

MARTA D. LYALL,

Plaintiff,

v.

U.S. BANK NATIONAL  
ASSOCIATION; TRUMAN TITLE 2013  
SC3 TITLE TRUST; TRUMAN  
CAPITAL ADVISORS, LP;  
RUSHMORE LOAN MANAGEMENT  
SERVICES, LLC; BANK OF AMERICA,  
N.A.; DITECH HOME LOAN  
SERVICING; CWABS MASTER  
TRUST, REVOLVING HOME EQUITY  
LOAN ASSET BACKED NOTES,  
SERIES 2004-"O"; CARNEGIE  
MELLON UNIVERSITY; UNIVERSITY  
OF WASHINGTON; WASHINGTON  
STATE DEPARTMENT OF  
COMMERCE; DISPUTE RESOLUTION  
CENTER OF KING COUNTY; and  
JOHN AND JANE DOES 1-100,

Defendants.

Case No: 17-00472-RAJ

**ORDER**

This matter comes before the Court on Defendant University of Washington's ("UW") Motion to Dismiss. Dkt. # 34. On June 14, 2017, the Court warned Plaintiff that if she chooses to respond to UW's Motion, she must do so no later than June 26, 2017. Dkt. # 48. Plaintiff did not file a response in opposition to the Motion, and the Court

granted the Motion. Dkt. # 68.

On June 27, 2017, Plaintiff filed a letter seeking reconsideration of this determination, stating that she suffered injuries the day before the deadline to respond and therefore could not complete her brief. Dkt. ## 70, 79. In light of her injuries, the Court granted Plaintiff an extension, requiring her to respond to the Motion no later than July 6, 2017. Dkt. # 81.

Plaintiff has now had ample time to respond to the Motion yet has chosen not to do so. The Court considers Plaintiff's failure to respond—twice—as an admission that the Motion has merit. Local Rules W.D. Wash. LCR 7(b)(2). This is a procedural determination; the Court refrains from commenting on the underlying merits of the Motion.

Accordingly, UW's Motion is **GRANTED**. Dkt. # 34.

Dated this 12th day of July, 2017.

A handwritten signature in black ink, reading "Richard A. Jones", written over a horizontal line.

The Honorable Richard A. Jones  
United States District Judge