

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.



The Honorable Richard A. Jones
United States District Judge