

1 HONORABLE RONALD B. LEIGHTON

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

9 RUTH L RUCKMAN,

10 Plaintiff,

11 v.

12 ALFRED H CHAN,

13 Defendant.

CASE NO. C08-5532 RBL

ORDER

14 THIS MATTER comes on before the above-entitled Court upon the Government's  
15 Motion for Leave to File Supplemental Evidence in Support of the United States' Motion for  
16 Partial Default Judgment, or, in the Alternative, Partial Summary Judgment [Dkt. #177]. Having  
17 considered the entirety of the records and file herein, the Court finds and rules as follows:

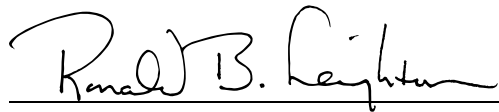
18 The government seeks to file a supplemental declaration attaching certain evidence  
19 related to their underlying substantive motion for partial default judgment or, alternatively,  
20 partial summary judgment. The evidence was not obtained until a day after the underlying  
21 motion was filed. No defendant has filed a response to the motion to file the supplemental  
22 evidence. Pursuant to CR7(b)(2), Local Rules W.D. Wash., "[i]f a party fails to file papers in  
23 opposition to a motion, such failure may be considered by the court as an admission that the  
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1 motion has merit.” A review of the motion reveals that it does have merit, and should be  
2 granted. Accordingly:

3 The Government’s Motion for Leave to File Supplemental Evidence [Dkt. #177] is  
4 **GRANTED.** The Court will consider the evidence attached to the Supplemental Declaration of  
5 Assistant United States Attorney David East [Dkt. #178] in deciding the Government’s Motion  
6 for Partial Default Judgment, or, in the Alternative, Partial Summary Judgment [Dkt. #172].

7 **IT IS SO ORDERED.**

8 Dated this 22<sup>nd</sup> day of November, 2011.

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11 RONALD B. LEIGHTON  
12 UNITED STATES DISTRICT JUDGE  
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