

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

ANTHONY REED

CIVIL ACTION

VERSUS

NO. 16-15654

FIRST PREMIER BANK

SECTION "N" (1)

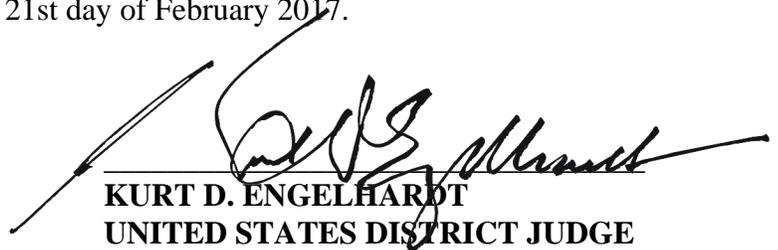
ORDER AND REASONS

Presently before the Court is the "Motion to Compel Arbitration and to Dismiss or Alternatively to Stay Proceedings by First Premier Bank (Rec. Doc. 7). Local Rule 7.5 of the Eastern District of Louisiana requires that a memorandum in opposition to a contested motion be filed eight days prior to the date the motion is to be taken under submission. No memoranda in opposition to First Premier Bank's motion, which was set to be taken under submission on January 4, 2017 has been filed to date. Accordingly, given that the motion has not been opposed, **IT IS ORDERED** that the motion (Rec. Doc. 7) is hereby **GRANTED** to the extent that (1) Plaintiff Anthony Reed is ordered to arbitrate his claims against First Premier Bank in accordance with the written arbitration agreement in Mr. Reed's credit card account contract with First Premier Bank and Section 4 of the Federal Arbitration Act ("FAA"), 9 U.S.C. §§ 1-16; and (2) this action is stayed pending completion of the arbitration proceeding.

Any motion for reconsideration of the Court's rulings set forth herein must be filed within fourteen (14) days of the date that this Order is entered by the Clerk of Court and must be accompanied by an opposition memorandum to First Premier Bank's motion to dismiss and state

why an opposition memorandum was not timely filed. Additionally, because a motion for reconsideration would not have been necessary had an timely opposition memorandum been filed, all costs incurred in connection with the First Premier Bank's motion, including attorneys' fees, may be assessed against the party moving for reconsideration. *See* Fed. R. Civ. P. 16, 83. Accordingly, a statement of costs conforming to Local Rule 54.3 shall be submitted by all parties desiring to be awarded costs and attorneys' fees no later than eight days prior to the submission date of any motion for reconsideration that is filed.

New Orleans, Louisiana, this 21st day of February 2017.



KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE