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Attorney for Plaintiffs

MARC J. RANDAZZA, JENNIFER RANDAZZA, and NATALIA RANDAZZA

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

MARC J. RANDAZZA, an individual,	)	Case No. 2:12-cv-02040-GMN-PAL
JENNIFER RANDAZZA, an individual, and	)	
NATALIA RANDAZZA, a minor,	)	<b>NOTICE OF DEFENDANT CRYSTAL</b>
	)	<b>COX'S NON-OPPOSITION TO</b>
Plaintiffs,	)	<b>PLAINTIFFS' MOTION TO REVOKE</b>
	)	<b>COX'S ECF PRIVILEGES (ECF 69)</b>
vs.	)	
	)	
CRYSTAL COX, an individual, and ELIOT	)	
BERNSTEIN, an individual,	)	
	)	
Defendants.	)	

Plaintiffs Marc J. Randazza, Jennifer Randazza, and Natalia Randazza, through counsel, hereby submit this Notice with respect to their pending Motion to Revoke Defendant Crystal Cox's ECF Privileges, filed on February 4, 2013 (ECF 69).

It is well established that a party's failure to timely oppose a motion constitutes the non-moving party's consent to granting of the motion. *U.S. v. Warren*, 601 F.2d 471, 474 (9th Cir. 1979). At present, Cox has not filed a memorandum of law and points of authority in opposition to Plaintiffs' Motion to Revoke Cox's ECF privileges. Under Local Rule 7-2(d), this failure to oppose Plaintiffs' motion constitutes Defendant's concession to the pending Motion's desired relief. Cox has been served electronically, as was Cox's request. (ECF 9)

1 Local Rule 7-2(b) allows 14 days for the filing of responsive briefing. Plaintiffs filed their  
2 Motion on February 4, 2013. Cox's response would have been due Monday, February 18, 2013.  
3 However, because February 18 was a federal holiday, Cox would have until February 19, 2013 to  
4 oppose the Motion. At the time of this filing, Cox has filed no opposition to this matter. In light of  
5 the fact that Cox has promptly responded to all of Plaintiffs' other motions well before the 14-day  
6 deadline allowed, Cox does not seem to want to dispute the Motion. Even if Cox were to file  
7 today, Plaintiffs would suffer prejudice due to the delay; adding one more tight deadline to  
8 Plaintiffs' counsel's extremely packed litigation schedule—as well as a quick turnaround in a case  
9 that already has amassed more than 80 filings in a three-month timespan because of Cox's  
10 vexatious and superfluous filings—would cause Plaintiffs undue hardship.

11 For the foregoing reasons, Plaintiffs respectfully request that this Court grant their  
12 unopposed motion and revoke Cox's electronic filing privileges.

13  
14 Dated: February 22, 2013

Respectfully submitted,

15 /s/Ronald D. Green

16 Ronald D. Green, NV Bar #7360

17 Randazza Legal Group

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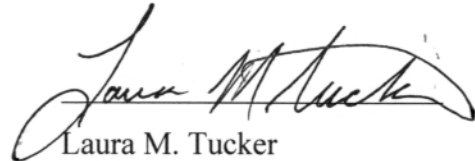
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1 **CERTIFICATE OF SERVICE**

2  
3 Pursuant to the Federal Rules of Civil Procedure 5(b), I hereby certify that the foregoing  
4 document was filed using this Court's CM/ECF system on February 22, 2013.

5 Dated: February 22, 2013

Respectfully Submitted,

6  
7 

8 Laura M. Tucker

9 Law Clerk

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