

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 18-61017-CIV-ALTONAGA/Seltzer

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

POINTBREAK MEDIA, LLC, et al.,

Defendants.

ORDER

THIS CAUSE came before the Court on Plaintiff, Federal Trade Commission’s Motion to Strike Defendants’ Jury Demands [ECF No. 172], filed September 7, 2018. Plaintiff asks the Court to strike Defendants’ demands for a jury trial under Federal Rule of Civil Procedure 39(a)(2). (*See generally id.*). On September 10, 2018, Defendants, Modern Spotlight, LLC; Modern Spotlight Group, LLC; Modern Internet Marketing, LLC; and Michael Pocker filed a brief Objection to Plaintiff’s Motion to Strike Defendants’ Jury Demands [ECF No. 173], in which Defendants stated they would be “filing a formal response in Opposition to Plaintiff’s Motion to Strike Defendants’ Jury Demands under separate cover.” (*Id.* 1).

Under Local Rule 7.1(c), failure to file an opposing memorandum of law 14 days after service of the motion is “sufficient cause for granting the motion by default.” *Id.* To date, Defendants have not filed an opposing *memorandum of law*, despite their initial notice to the Court that one would be forthcoming, nor have Defendants sought an extension of time to do so. Accordingly, it is


ORDERED AND ADJUDGED as follows:

CASE NO. 18-61017-CIV-ALTONAGA/Seltzer

1. Plaintiff, Federal Trade Commission's Motion to Strike Defendants' Jury Demands [ECF No. 172] is **GRANTED**.

2. Defendants' requests for a jury trial are **STRICKEN**.

DONE AND ORDERED in Miami, Florida, this 24th day of September, 2018.



CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

cc: counsel of record