

BHAGWATI P. BANSAL,
Plaintiff,
v.
WASHINGTON METROPOLITAN AREA
TRANSIT AUTHORITY,
Defendant.

The plaintiff, Bhagwati Bansal, brought suit under Title VII of the Civil Rights Act of 1964 as amended, 42 U.S.C. § 2000e *et seq.*, alleging employment discrimination against his employer, the Washington Metropolitan Area Transit Authority (“WMATA”), on the grounds of national origin, race, age, and sex, and retaliation for invoking his remedies under Title VII. On June 24, 2004, this Court issued an opinion and entered judgment for the defendant on all of plaintiff’s claims except for those arising from a June 1999 non-promotion. See June 24, 2004 Opinion at 2; June 24, 2004 Order and Judgment.

On July 19, 2006 there was a final pretrial conference. Over defendant's strenuous objection, the Court cancelled the trial and decided to grant each side one final chance

to file motions to reconsider the Court's earlier decisions or renewed motions for summary judgment. See Transcript of July 19, 2006 Final Pretrial Conference at 22:2-22:21.

After submission of proposed scheduling orders by the parties, on August 3, 2006, this Court entered a scheduling order providing that:

Plaintiff shall file any motion seeking reconsideration of any Order regarding summary judgment or pretrial determination made after the Court's *[sic]* determination not to certify a class action suit and to sever the individual plaintiffs from this case by 9/26/2006. Defendant shall file any new motion for summary judgment by 9/26/06. Any opposition to any motion for reconsideration or motion for summary judgment shall be filed within 25 days of the date of any new motion for reconsideration or motion for summary judgement *[sic]* is filed. Replies, if any, shall be filed within 15 days of the date the opposition is filed.

On September 28, 2006, the deadline for the filing of motions was extended, at the joint request of the parties, until October 3, 2006.

On October 3, 2006, defendant timely filed its third motion for summary judgment relating to plaintiff's one remaining claim. That motion is now before the Court. Plaintiff did not file any motions by the extended deadline. Nor has plaintiff has not filed any opposition to WMATA's motion. Local Civil Rule 7(b) provides that "an opposing party shall serve and file a memorandum of points and authorities in opposition to the motion. If such memorandum is not filed within the prescribed time, the court may treat the motion as conceded." Local Civil Rule 7(b).

In view of the long and tortuous history of this case, the defendant's motion therefore will be granted as unopposed and conceded. A separate Order and Judgment shall issue this same day.

SO ORDERED.

DATE: December 19, 2006

/s/_____
PAUL L. FRIEDMAN
United States District Judge