

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DAVID L. CALDWELL,)	
)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 12-0406 (BAH)
)	
NATIONAL GALLERY OF ART,)	
)	
Defendant.)	
)	

MEMORANDUM OPINION

On March 14, 2012, the defendant removed this action from the Superior Court of the District of Columbia, and on March 21, 2012, filed a motion to dismiss the complaint. In its March 23, 2012 Order, the Court advised the plaintiff, among other things, of his obligation to file an opposition or other response to the motion. Further, that Order expressly warned the plaintiff that, if he failed to file his opposition by April 27, 2012, the Court would treat the motion as conceded. To date, the plaintiff neither has filed an opposition nor requested additional time to do so. The Court will treat the defendant's motion as conceded and will dismiss this action.

An Order accompanies this Memorandum Opinion.

DATE: May 7, 2012

/s/ Beryl A. Howell
BERYL A. HOWELL
United States District Judge