

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CARL T. WOOLRIDGE,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 12-539 (RWR)
)	
POTOMAC COLLEGE LLC, <u>et al.</u> ,)	
)	
Defendants.)	
)	

MEMORANDUM OPINION

Plaintiff Carl Woolridge, a former employee of Potomac College LLC, filed a five-count complaint against Potomac College LLC, the president and CEO of Potomac College LLC, Jim Otten, and Woolridge’s former supervisor, Chet White, alleging race and age discrimination in violation of Title VII of the Civil Rights Act of 1964 (“Title VII”), 42 U.S.C. § 2000e et seq.,¹ and common law claims of assault, intentional infliction of emotional distress, retaliation, and false light. The defendants have filed a motion to dismiss Woolridge’s complaint for failure to state a claim.

Local Civil Rule 7(b) provides that

[w]ithin 14 days of the date of service . . . , an opposing party shall serve and file a memorandum of points and authorities in opposition to the motion. If such a memorandum is not filed within the prescribed time, the Court may treat the motion as conceded.

LCvR 7(b). “[I]t is well settled that a plaintiff’s

¹ Woolridge does not assert that he is entitled to relief under the Age Discrimination in Employment Act, 29 U.S.C. § 621.

failure to respond to a motion to dismiss permits a court to grant the motion as conceded." Hoffman v. District of Columbia, 681 F. Supp. 2d 86, 94 (D.D.C. 2010) (citing Fox v. Am. Airlines, 389 F.3d 1291, 1294-95 (D.C. Cir. 2004) (affirming dismissal of a complaint where the plaintiff failed to file a timely response to the defendant's motion to dismiss)).

Woolridge did not respond to the defendants' motion. On January 3, 2013, an order was issued requiring Woolridge to show cause by January 24, 2013 why the defendants' motion to dismiss should not be granted as conceded. The plaintiff has failed to file a response to the January 3 Order to Show Cause, and has still not responded to the defendants' motion. Accordingly, the defendants' motion will be deemed conceded and it will be granted.

A final order accompanies this memorandum opinion.

SIGNED this 25th day of January, 2013.

/s/
RICHARD W. ROBERTS
United States District Judge