

1 FJDCR 15(5) states in pertinent part as follows: "a failure of an opposing party to file a
2 memorandum of points and authorities in opposition to any motion within the time permitted
3 shall constitute a consent to the granting of the motion." In this case, Zandian's opposition
4 does nothing to rebut the factual and legal arguments made in the motion to strike. This is not
5 surprising, as the information sought to be struck is patently false. Therefore, Zandian's non-
6 opposition to the issues raised in the motion to strike should "constitute a consent to the
7 granting of the motion."
8

9 **CONCLUSION**

10 Based upon the foregoing, Plaintiff Jed Margolin respectfully requests that this Court
11 strike Zandian's reply to the opposition to the motion to dismiss wherever it contains the
12 patently false statements, as pointed out in the motion.

13 AFFIRMATION PURSUANT TO NRS 239B.030

14 The undersigned does hereby affirm that the preceding document does not contain the
15 social security number of any person.
16

17 Dated this 13th day of February, 2012.

WATSON ROUNDS


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1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of Watson Rounds, and that on
3 this date, I deposited for mailing, in a sealed envelope, with first-class postage prepaid, a true
4 and correct copy of the foregoing document, **REPLY IN SUPPORT OF MOTION TO**
5 **STRIKE**, addressed as follows:

6
7 John Peter Lee
8 John Peter Lee, Ltd.
9 830 Las Vegas Blvd. South
10 Las Vegas, NV 89101

11 Dated: February 13, 2012

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Carla Ousby