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**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

**ERNEST MERRILL and
LILA MERRILL,**

Plaintiffs,

v.

COUNTY OF MADERA, et al.,

Defendants.

1: 05 -CV- 0195 AWI SMS

**ORDER VACATING NOVEMBER 8,
2010 HEARING AND TAKING
MOTION FOR LEAVE TO AMEND
THE COMPLAINT UNDER
SUBMISSION**

Plaintiffs' motion for leave to amend the complaint has been set for hearing in this case on November 8, 2010. The court has reviewed the papers and has determined that this matter is suitable for decision without oral argument. Local Rule 230(h). Therefore, IT IS HEREBY ORDERED that the previously set hearing date of November 8, 2010, is VACATED, and the parties shall not appear at that time. As of November 8, 2010, the court will take the matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: November 4, 2010



CHIEF UNITED STATES DISTRICT JUDGE