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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

PUNAOFO TSUGITO TILEI,

Plaintiff,

v.

T. WAN, et al.,

Defendants.

1:06-cv-00776-OWW-GSA-PC

ORDER GRANTING IN PART  
DEFENDANTS' REQUEST  
(Doc. 116.)

ORDER VACATING PRETRIAL  
CONFERENCE AND RELIEVING  
DEFENDANTS FROM FILING PRETRIAL  
STATEMENT

**VACATED:**

**Telephonic Pretrial Conference:**  
**June 20, 2011, at noon in**  
**Courtroom 3 (OWW)**

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This matter is set for a telephonic pretrial conference on June 20, 2011 at noon, and jury trial on August 2, 2011. Pursuant to the Court's Second Scheduling Order, filed on April 27, 2010, Plaintiff's pretrial statement was due on May 26, 2011. Plaintiff has not filed a pretrial statement or otherwise responded to the order. On June 10, 2011, Defendants filed a request to be relieved of filing their pretrial statement and for the Court to vacate the pretrial conference and trial. (Doc. 116.) On June 10, 2011, Defendants also filed a motion to dismiss this action for Plaintiffs' failure to prosecute. (Doc. 117.)

In light of Defendants' pending motion to dismiss this action, the pretrial conference shall be vacated from the Court's calendar, and Defendants shall be relieved from filing their pretrial

1 statement due on June 13, 2011. The date for jury trial in this action, August 12, 2011, shall  
2 remain on the Court's calendar at this time.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. Defendants' request to be relieved of filing a pretrial statement and to vacate the  
5 pretrial hearing and trial dates in this action, filed on June 10, 2011, is GRANTED  
6 in part;
- 7 2. The telephonic pretrial conference for this action, scheduled for June 20, 2011 at  
8 noon before District Judge Oliver W. Wanger, is VACATED from the Court's  
9 calendar pending resolution of Defendants' motion to dismiss;
- 10 3. Defendants are relieved from filing their pretrial statement due on June 13, 2011;  
11 and
- 12 4. The date for jury trial in this action, August 2, 2011 at 9:00 a.m. before District  
13 Judge Oliver W. Wanger, shall remain on the Court's calendar at this time.

14 IT IS SO ORDERED.

15 Dated: June 14, 2011

15 /s/ Oliver W. Wanger  
16 UNITED STATES DISTRICT JUDGE

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