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

<b>CECILIA FRAHER,</b>	)	<b>NO. 1: 06-CV-1120-AWI-GSA</b>
	)	
<b>Plaintiff,</b>	)	<b>ORDER GRANTING DEFENDANT</b>
	)	<b>ASHRAF’S MOTION FOR</b>
v.	)	<b>SUMMARY JUDGMENT BASED ON</b>
	)	<b>PLAINTIFF’S NOTICE OF NON-</b>
<b>SURYDEVARA, et al.,</b>	)	<b>OPPOSITION (Document #132)</b>
	)	
<b>Defendants.</b>	)	<b>ORDER VACATING AUGUST 23,</b>
	)	<b>2010 HEARING</b>

In this action, Plaintiff’s third amended complaint alleges a civil rights cause of action against Defendant Sampath Suryadevara and professional negligence causes of action against Defendant Sampath Suryadevara and Defendant Mohammad Ashraf.

On July 19, 2010, Defendant Mohammad Ashraf filed a motion for summary judgment on the negligence cause of action. The motion was set for oral argument to be heard on August 23, 2010. On August 3, 2010, Plaintiff filed a statement of non-opposition to Defendant Mohammad Shraf’s motion for summary judgment.

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1 In light of Plaintiff's statement of non-opposition, the court ORDERS that:

- 2 1. Defendant Mohammad Ashraf's motion for summary judgment is GRANTED;  
3 and  
4 2. The hearing on Defendant Mohammad Ashraf's motion for summary judgment  
5 set for August 23, 2010 is VACATED.  
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7 IT IS SO ORDERED.

8 Dated: August 9, 2010

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11 CHIEF UNITED STATES DISTRICT JUDGE  
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