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

**NAOKO ITO, et al.,**  
  
**Plaintiffs,**  
  
**v.**  
  
**BRIGHTON/SHAW, INC., et al.,**  
  
**Defendants.**

**NO. 1:06-CV-01135-AWI-DLB**  
  
**ORDER VACATING  
SEPTEMBER 8, 2009  
HEARING DATE AND  
TAKING MATTER UNDER  
SUBMISSION**

\_\_\_\_\_ )  
and related cross-claims.

Cross-complainant Robert Carson’s (“Carson”) motion for reconsideration has been set for hearing in this case on September 8, 2009. The court has reviewed the papers and has determined that this matter is suitable for decision without oral argument. Local Rule 78-230(h). Therefore, IT IS HEREBY ORDERED that the previously set hearing date of September 8, 2009, is VACATED, and the parties shall not appear at that time. As of September 8, 2009, the court will take the matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

**Dated:** September 1, 2009

/s/ Anthony W. Ishii  
CHIEF UNITED STATES DISTRICT JUDGE