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

**SUN PACIFIC MARKETING
COOPERATIVE, INC.,**

Appellant,

v.
DIMARE FRESH, INC.,

Appellee.

CIV-F-06-1404 AWI GSA

**ORDER VACATING HEARING
DATE OF JULY 26, 2010 AND
TAKING MATTER UNDER
SUBMISSION**

Both Appellant and Appellee have made motions for summary judgment. Both parties have filed timely oppositions and replies. The hearing for the motion was set for July 26, 2010 at 1:30 PM. The court has reviewed the papers filed and has determined that the motion is suitable for decision without oral argument. See Local Rule 230(g).

Therefore, IT IS HEREBY ORDERED that the previously set hearing date of July 26, 2010 is VACATED, and no party shall appear at that time. As of that date, the court will take the matter under submission and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: July 21, 2010



CHIEF UNITED STATES DISTRICT JUDGE