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

TOMMY ALLEN, BROOKE ALLEN,)
a minor suing through her legal)
representative, TOMMY ALLEN,)
)
Plaintiffs,)
)
v.)
)
FRESNO CITY POLICE OFFICER)
DERIK KUMAGAI, et al.,)
)
Defendants.)
_____)

NO. 1:06-CV-01469 AWI SMS
ORDER VACATING
FEBRUARY 14, 2011 HEARING
DATE AND TAKING MATTER
UNDER SUBMISSION

Plaintiffs' motion for summary adjudication has been set for hearing in this case on February 14, 2011. The court has reviewed the papers and has determined that this matter is suitable for decision without oral argument. See Local Rule 230(g). Therefore, IT IS HEREBY ORDERED that the previously set hearing date of February 14, 2011, is VACATED, and the parties shall not appear at that time. As of February 14, 2011, the court will take the matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: February 9, 2011



CHIEF UNITED STATES DISTRICT JUDGE