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

CENTEX HOMES,)	NO. 1:07-CV-00567-AWI-SMS
)	
Plaintiff,)	ORDER VACATING
)	SEPTEMBER 21, 2009 HEARING
v.)	DATE AND TAKING MATTER
)	UNDER SUBMISSION
FINANCIAL PACIFC INSURANCE)	
COMPANY, AMERICAN STATES)	
INSURANCE COMPANY, SAFECO)	
INSURANCE COMPANY and)	
CARR BUSINESS ENTERPRISES, INC.,)	
)	
Defendants.)	

Defendants' motion for summary judgment and related motions have been set for hearing in this case on September 21, 2009. The court has reviewed the papers and has determined that these matters are suitable for decision without oral argument. Local Rule 78-230(h). Therefore, IT IS HEREBY ORDERED that the previously set hearing date of September 21, 2009, is VACATED, and the parties shall not appear at that time. As of September 21, 2009, the court will take these matters under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: September 16, 2009 /s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE