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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KELVIN X. SINGLETON,

1:08-cv-00095-AWI-GSA-PC

Plaintiff,

ORDER VACATING HEARING

v.

ORDER RESCINDING ORDER TO SHOW
CAUSE ISSUED ON FEBRUARY 22, 2011
(Doc. 146.)

A. HEDGEPATH, et al.,

Defendants.

VACATED
Hearing on Order to Show Cause

April 1, 2011 at 9:30 a.m.
in Courtroom 10 (GSA)

_____ /

PLEASE TAKE NOTICE:

The hearing on the Court's Order to Show Cause in this action, scheduled for **April 1, 2011** at **9:30 a.m.** before Magistrate Judge Gary S. Austin in **Courtroom 10** is **VACATED** from the Court's calendar.

On February 22, 2011, the Court issued an order scheduling a hearing for Dr. Steven M. Yaplee to personally appear before Magistrate Judge Gary L. Austin on April 1, 2011 at 9:30 a.m. to show cause why sanctions should not be imposed for his failure to comply with the subpoena issued by the Court on December 1, 2010, which commanded him to produce designated documents

1 on or before February 15, 2011. (Doc. 146.) In the alternative, Dr. Steven M. Yaplee was ordered
2 to comply with the subpoena on or before March 15, 2011. Id.

3 On February 25, 2011, Dr. Steven M. Yaplee submitted documents to the Court in
4 compliance with the subpoena. (Doc. 150.) Therefore, the hearing shall be vacated, and the Court's
5 Order to Show Cause shall be rescinded.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The hearing on the Court's Order to Show Cause, scheduled for April 1, 2011 at 9:30
8 a.m. in Courtroom 10 before Magistrate Judge Gary S. Austin is VACATED from
9 the Court's calendar;
- 10 2. The Court's Order to Show Cause, issued on February 22, 2011, is RESCINDED;
11 and
- 12 3. The Clerk shall serve a copy of this order on:

13 Steven M. Yaplee, M.D.
14 1519 Garces Hwy., Ste. 101
15 Delano, California 93125

16 IT IS SO ORDERED.

17 **Dated: March 4, 2011**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE