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

CHRISTOPHER BOLTON,)
)
 Plaintiff,)
)
 v.)
)
 PENTAGROUP FINANCIAL)
 SERVICES, LLC and DOES 1 through 20,)
 inclusive,)
)
 Defendants.)
 _____)

CIV-F-08-0218 AWI GSA

**ORDER VACATING HEARING
DATE OF FEBRUARY 2, 2009**

Plaintiff and Defendant have noticed for hearing and decision cross motions for summary judgement. The matter was scheduled for oral argument on February 2, 2009. Both parties have filed oppositions and replies. As part of his reply, Plaintiff filed additional evidence. Defendant filed an objection to the newly filed evidence. The court has reviewed the papers and has determined that the motions are suitable for decision without further oral argument. See Local Rule 78-230(h).

Therefore, IT IS HEREBY ORDERED that the previously set hearing date of February 2, 2009, is VACATED, and no party shall appear at that time. As of that date, the court will take the matters under submission and will thereafter issue its decisions.

IT IS SO ORDERED.

Dated: January 29, 2009

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