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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

CARIS LYNN MCDOUGALD	)	1:08cv238 AWI DLB
	)	
	)	
Plaintiff,	)	ORDER DENYING PLAINTIFF'S
	)	MOTION TO COMPEL AS MOOT
v.	)	(Document 37)
	)	
MODESTO POLICE DEPARTMENT	)	ORDER TAKING MOTION TO COMPEL
OFFICERS RAMAR AND CAMBPELL,	)	OFF CALENDAR
	)	
	)	
Defendants.	)	

Plaintiff Caris Lynn McDougald (“Plaintiff”), appearing pro se and proceeding in forma pauperis, filed the instant civil rights action on February 19, 2008.

On July 1, 2009, Plaintiff filed a motion to compel responses to interrogatories. Plaintiff specifically seeks responses to Interrogatory Number 1, which requests information regarding citizen complaints filed against Defendants. A hearing is set for July 31, 2009.

On July 16, 2009, Defendants filed a statement of non-opposition in which they acknowledge that their late responses waived any objections. Defendants further state that they have served amended answers to both disputed sets of interrogatories in which Interrogatory Number 1 is answered without objection. Defendants have also provided Plaintiff with Exhibit A to each set of answers, which was previously omitted due to clerical oversight.

1 Defendants' further responses appear to have resolved the matter. The Court therefore  
2 VACATES and hearing and DENIES the motion as MOOT.

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4  
5 IT IS SO ORDERED.

6 **Dated: July 29, 2009**

**/s/ Dennis L. Beck**  
UNITED STATES MAGISTRATE JUDGE