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

ABRAHAM G. PINZON,)
)
 Plaintiff,)
)
 v.)
)
 RON JENSEN, RON JENSEN)
 CONSTRUCTION, PINECREST)
 MARKET, DAN VAUGHN, and DOES 1-)
 50,)
)
 Defendants.)
 _____)

CIV-F-08-1543 AWI GSA

**ORDER VACATING HEARING OF
SEPTEMBER 28, 2009**

Defendants Dan Vaughn and Pinecrest Marketing, Inc. have noticed for hearing and decision motions to dismiss for failure to state a claim. The matters are scheduled for oral argument on September 28, 2009. Plaintiff has filed an opposition and Defendants have filed replies. The court has reviewed the papers and has determined that the motion is 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 September 28, 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 a decision.

IT IS SO ORDERED.

Dated: September 24, 2009

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