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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

DONDI VAN HORN,	)	1:08cv1622 LJO DLB
	)	
	)	
Plaintiff,	)	ORDER DENYING EX PARTE
	)	APPLICATION FOR LEAVE TO FILE
	)	OPPOSITION AS MOOT
	)	(Document 200)
v.	)	
	)	ORDER DIRECTING CLERK TO
TINA HORNBEAK, et al.,	)	RETURN DOCUMENTS
	)	
	)	
Defendants.	)	

Plaintiff Dondi Van Horn (“Plaintiff”) filed a motion to amend the complaint on December 29, 2009. After deeming the matter suitable for decision without oral argument, the Court issued an order denying the motion on February 2, 2010.

On February 1, 2010, over two weeks after his opposition was due, Defendant Naeem Siddiqi, M.D., filed an ex parte application for leave to file a late opposition to the motion to amend. He also requested that the opposition be filed under seal.

The Court denied the motion to amend on February 1, 2010, and therefore DENIES Defendant’s application as MOOT. The Clerk of Court is ORDERED to return the unfiled Memorandum of Points and Authorities and Declaration of Dirk B. Paloutzian.

IT IS SO ORDERED.

**Dated: February 3, 2010**

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