

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

M.D. a minor, by and through her
Guardian Ad Litem, V. Dixon,) NO. 1:08-CV-01873-AWI-GSA
Plaintiff,)
v.) ORDER VACATING
ROSEDALE UNION SCHOOL) FEBRUARY 9, 2009 HEARING
DISTRICT, SUPERINTENDENT) DATE AND TAKING MATTER
JAMIE HENDERSON, PRINCIPAL) UNDER SUBMISSION
TRICA LAZENBY and DOES 1)
through 100, Inclusive,)
Defendants.)

Defendants' motion to dismiss the fourth and fifth causes of action in the first amended complaint has been set for hearing in this case on February 9, 2009. The court has reviewed the papers and has determined that this matter is suitable for decision without oral argument. Local Rule 78-230(h). Therefore, IT IS HEREBY ORDERED that the previously set hearing date of February 9, 2009, is VACATED, and the parties shall not appear at that time. As of February 9, 2009, the court will take the matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: February 6, 2009

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