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

RUBEN GARCIA, JR.,
Plaintiff,
v.
OLD REPUBLIC DEFAULT
MANAGEMENT SERVICES, SAXON
MORTGAGE SERVICES, and DOES
1-50, Inclusive,
Defendants.

NO. 1:08-CV-01879 AWI SMS
ORDER VACATING
FEBRUARY 2, 2009 HEARING
DATE AND TAKING MATTER
UNDER SUBMISSION

Defendant Saxon Mortgage Services, Inc's motion to expunge notice of pendency of action and motion to dismiss have been set for hearing in this case on February 2, 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 2, 2009, is VACATED, and the parties shall not appear at that time. As of February 2, 2009, the court will take the matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: January 29, 2009

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