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

**KRISTA GARCIA, by and through her
guardian ad litem Lorraine Marin,**

Plaintiff,

v.

**CLOVIS UNIFIED SCHOOL
DISTRICT, DOUGLAS BURNS, BARRY
JAGER, GREG BASS, ANN-MAURA
CERVANTES, MAI YIA MOUA, and
DOES 1 through 20, inclusive,**

Defendants.

1:08-CV-1924 AWI DLB

**ORDER TAKING
DEFENDANTS' MOTION TO
DISMISS AND MOTION TO
STRIKE**

Currently pending before this Court are Defendants Clovis Unified School District, Jager, Bass, Cervantes, and Moua's motion to dismiss and motion to strike. The motions are set for hearing on July 6, 2009, at 1:30 p.m. The court has reviewed the moving 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 July 6, 2009, is VACATED, and the parties shall not appear at that time. As of July 6, 2009, the Court will take Defendant's motion to dismiss under submission and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: July 1, 2009

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