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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 VACATING  
HEARING AND TAKING  
DEFENDANTS' RULE 54(b)  
MOTION UNDER  
SUBMISSION**

Currently pending before this Court is the "Clovis Defendants" Rule 54(b) motion. The motion is set for hearing on October 26, 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 October 26, 2009, is VACATED, and the parties shall not appear at that time. As of October 26, 2009, the Court will take Defendants's Rule 54(b) motion under submission and will thereafter issue its decision.

IT IS SO ORDERED.

**Dated: October 21, 2009**

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