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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

**GONZALO ALFREDO PIZARRO
COSSE, FLORICELDA CASTILLO,
AND JORGE R. MEJIA**)
)
)
Plaintiffs,)
)
v.)
)
GMAC MORTGAGE CORPORATION,)
and DOES 1-50, inclusive,)
)
Defendants.)

CIV-F-09-0258 AWI GSA

**ORDER VACATING HEARING
DATE OF AUGUST 17, 2009**

Defendant GMAC Mortgage LLC (sued erroneously as GMAC Mortgage Corporation) has noticed for hearing a motion to dismiss for lack of prosecution. The matter was scheduled for oral argument on August 17, 2009. Plaintiffs have filed neither an opposition nor a notice of non-opposition. Thus, Plaintiffs are in violation of Local Rule 78-230(c) and are no longer entitled to be heard at oral argument. The court has reviewed the papers and has determined that the motion is suitable for decision without further oral argument. See Local Rule 78-230(h).

Therefore, IT IS HEREBY ORDERED that the previously set hearing date of August 17, 2009, is VACATED, and no party shall appear at that time. As of that date, the court will take the matters under submission and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: August 13, 2009

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