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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

EDWARD ESSAKHANI, an individual, **Plaintiff**, **v.** **WELLS FARGO BANK, N.A., a National Association, organized and existing under the laws of the United States of America; NATIONAL FUNDING GROUP, a California corporation; E-LOAN, INC., a Delaware corporation; and DOES 1 – 10, inclusive,** **Defendants**.	**CIV-F-09-1145 AWI GSA** **ORDER VACATING HEARING OF NOVEMBER 16, 2009**

Defendants Wells Fargo and E-Loan have made motions to dismiss for failure to state a claim. The matter is scheduled for oral argument on November 16, 2009. Plaintiff has filed no opposition and the deadline for doing so has passed. However, it has come to light that Plaintiff's attorney tendered his resignation as a member of the State Bar of California with disciplinary charges pending on November 3, 2009. Thus, it is not clear who, if anyone, is representing Plaintiff in this action. IT IS HEREBY ORDERED that the previously set hearing date of November 16, 2009, is VACATED, and no party shall appear at that time. The court will issue further instructions about these motions and representation in this case.

IT IS SO ORDERED.

Dated: November 12, 2009 **/s/ Anthony W. Ishii**
CHIEF UNITED STATES DISTRICT JUDGE

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