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

ROSIE BOPARAI, M.D.,)
)
 Plaintiff,)
)
 v.)
)
 ERIC SHINSEKI, Secretary of Veterans)
 Affairs, United States Department of)
 Veterans Affairs,)
)
 Defendant.)
 _____)

CASE NO. 1:09-CV-1164 AWI JLT
ORDER VACATING HEARING
DATE OF FEBRUARY 22, 2011 AND
TAKING MATTER UNDER
SUBMISSION

Defendant Secretary of Veterans affairs has filed a motion for summary judgment. The matter was scheduled for hearing on February 22, 2011. Plaintiff Rosie Boparai has failed to file either an opposition or notice of non-opposition. Thus, Plaintiff is no longer entitled to be heard at oral argument. See Local Rule 230(c). The court has reviewed the papers filed and has determined that the motion is suitable for decision without further oral argument. See Local Rule 230(g).

Therefore, IT IS HEREBY ORDERED that the previously set hearing date of February 22, 2011, is VACATED, and no party shall appear at that time. As of that date, the court will take the matter under submission and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: February 17, 2011



CHIEF UNITED STATES DISTRICT JUDGE