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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 SETTING NEW BRIEFING**  
**AND HEARING DATES FOR**  
**DEFENDANT’S MOTION FOR**  
**SUMMARY JUDGEMENT**

Defendant Secretary of Veterans affairs filed a motion for summary judgment. Doc. 65. The motion and accompanying documents were served by mail on Plaintiff Rosie Boparai, who is proceeding pro se. Doc. 66, Part 4. The matter was scheduled for hearing on February 22, 2011. Plaintiff did not file any opposition and the matter was taken under submission without oral argument. Plaintiff has now filed a document in which she claims that she never received the motion and was completely unaware of the hearing date; she requests that she be given an opportunity to oppose the motion. Doc. 70. Out of an abundance of caution, the court will reset the matter for hearing.

Defendant must re-serve Plaintiff by mail by March 1, 2011. Plaintiff must file an opposition by 4:00 PM on March 21, 2011. Defendant may file a reply by 4:00 PM on March 28, 2011. A hearing on the matter is scheduled for 1:30 PM on April 4, 2011. The pretrial conference date of April 12, 2011 is vacated. The parties are advised that given this new

1 schedule, the trial date of June 3, 2011 will also likely be vacated.

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4 IT IS SO ORDERED.

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Dated: February 25, 2011

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CHIEF UNITED STATES DISTRICT JUDGE

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