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**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA**

CIENA CAPITAL FUNDING, LLC, )  
formerly known as BLX CAPITAL, LLC, )  
a Delaware foreign limited liability )  
company, )  
Plaintiff, )  
v. )  
DJR PROPERTIES, INC., dba )  
SUPER 8 - MARIPOSA, et al., )  
Defendants. )  
\_\_\_\_\_ )

NO. 1:09-CV-01239-AWI-SMS  
ORDER VACATING  
SEPTEMBER 14, 2009 HEARING  
DATE AND TAKING MATTER  
UNDER SUBMISSION

Plaintiff's motion application for appointment of receiver and issuance of preliminary injunction and motion to strike Defendants' opposition has been set for hearing in this case on September 14, 2009. The court has reviewed the 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 September 14, 2009, is VACATED, and the parties shall not appear at that time. As of September 14, 2009, the court will take the matters under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

**Dated:** September 10, 2009

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