

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

TERRY DELAMATER, individually and)
dba FAMILY FITNESS OF ROYAL, LLC,)
Plaintiff,)
v.)
ANYTIME FITNESS, INC.,)
Defendant.)
NO. 1:09-CV-02025-AWI-SMS
ORDER VACATING
AUGUST 30, 2010 HEARING
DATE AND TAKING MATTER
UNDER SUBMISSION

Defendant's motion for attorneys' fees and costs has been set for hearing in this case on August 30, 2010. 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 August 30, 2010, is VACATED, and the parties shall not appear at that time. As of August 30, 2010, the court will take the matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: August 24, 201

A. K. Blum
CHIEF UNITED STATES DISTRICT JUDGE