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

BETTY J. POMEROY,  
Plaintiff,  
vs.  
WAL-MART STORES, INC.,  
Defendant.

CASE NO. CV F 09-2209 LJO SKO  
**ORDER TO TAKE SUMMARY JUDGMENT  
MOTION UNDER SUBMISSION**  
(Doc. 27.)

Pursuant to its practice, this Court will consider defendant's summary judgment motion on the record and VACATES the June 29, 2011 hearing. See Local Rule 230(c). Due to having the heaviest district court caseload in the nation and inability to hold to scheduled dates, this Court encourages the parties to consider consent to the conduct of further proceedings by a United States Magistrate Judge.

IT IS SO ORDERED.

**Dated: June 23, 2011**

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE