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

KENNETH WILLBANKS,)	1:10-CV-1299 AWI SKO
)	
Plaintiff,)	ORDER VACATING
)	OCTOBER 4, 2010 HEARING
v.)	DATE AND TAKING MATTER
)	UNDER SUBMISSION
PROGRESSIVE CHOICE)	
INSURANCE COMPANY; AND DOES)	
1-100, inclusive,)	
)	
Defendants.)	
_____)	

Defendant’s motion motion to dismiss Plaintiff’s fourth cause of action has been set for hearing in this case on October 4, 2010. The court has reviewed the papers and has determined that this matter is suitable for decision without oral argument. Local Rule 230(g). Therefore, IT IS HEREBY ORDERED that the previously set hearing date of October 4, 2010, is VACATED, and the parties shall not appear at that time. As of October 4, 2010, the court will take the matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: September 30, 2010



CHIEF UNITED STATES DISTRICT JUDGE