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

ARLENE HENSLEY,)	1:10-CV-1316 AWI SMS
)	
Plaintiff,)	ORDER VACATING
)	NOVEMBER 15, 2010
v.)	HEARING DATE AND
)	TAKING MATTER UNDER
THE BANK OF NEW YORK MELLON,)	SUBMISSION
et al.,)	
)	
Defendants.)	
_____)	

Defendants Mortgage Electronic Registrations Systems, Inc. and ReconTrust Company, N.A. filed a motion to dismiss that has been set for hearing in this case on November 15, 2010. Pursuant to Local Rule 230(c), Plaintiff was required to file either an opposition or a notice of non-opposition no later than November 1, 2010. Plaintiff failed to do so.

Due to Plaintiff's failure to file a timely opposition or notice of non-opposition, she is in violation of the Local Rules. Plaintiff is further not entitled to be heard at oral argument in opposition to the motion. In addition, the court has reviewed Defendants' motion and the applicable law, and has determined that the motion is suitable for decision without oral argument. See Local Rule 230(h).

1 Therefore, IT IS HEREBY ORDERED that the previously set hearing date of November
2 15, 2010, is VACATED, and no party shall appear at that time. As of November 15, 2010, the
3 court will take the matter under submission, and will thereafter issue its decision.

4
5 IT IS SO ORDERED.

6 Dated: November 11, 2010



CHIEF UNITED STATES DISTRICT JUDGE