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

<b>ARLENE HENSLEY,</b>	)	<b>1:10-CV-1316 AWI SMS</b>
	)	
<b>Plaintiff,</b>	)	<b>ORDER VACATING AUGUST</b>
	)	<b>29, 2011 HEARING DATE AND</b>
<b>v.</b>	)	<b>TAKING MATTER UNDER</b>
	)	<b>SUBMISSION</b>
<b>THE BANK OF NEW YORK MELLON,</b>	)	
<b>et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

Currently pending before this Court is Defendants’ motion to dismiss. This motion is set for hearing on August 29, 2011, at 1:30 p.m. in Courtroom 2. Pursuant to Local Rule 230(c), Plaintiff was required to file an opposition no later than August 15, 2011. Plaintiff, however, did not file an opposition. Due to Plaintiff’s failure to file a timely opposition, she is in violation of the Local Rules. Plaintiff is therefore not entitled to be heard at oral argument in opposition to Defendants’ motion. See Local Rule 230(c).

The Court has reviewed the papers and has determined that this matter is suitable for decision without oral argument. See Local Rule 230(g). Therefore, IT IS HEREBY ORDERED that the previously set hearing date of August 29, 2011, is VACATED, and the parties shall not appear at that time. As of August 29, 2011, the Court will take this matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: August 24, 2011

  
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CHIEF UNITED STATES DISTRICT JUDGE