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

<b>TYLYNNE B. HENRY,</b>	)	<b>1:10-CV-01922 AWI MJS</b>
	)	
<b>Plaintiff,</b>	)	<b>ORDER VACATING</b>
	)	<b>HEARING DATE OF</b>
<b>v.</b>	)	<b>NOVEMBER 22, 2010 AND</b>
	)	<b>TAKING MATTER UNDER</b>
<b>DOCTORS MEDICAL CENTER OF</b>	)	<b>SUBMISSION</b>
<b>MODESTO, INC., MEMORIAL</b>	)	
<b>HOSPITAL FOUNDATION OF</b>	)	
<b>STANISLAUS COUNTY, GOLDEN</b>	)	
<b>VALLEY HEALTH CLINICS,</b>	)	
<b>DR.CHAN M.D., and individual, and</b>	)	
<b>DOES 1 through 10, inclusive,</b>	)	
	)	
<b>Defendants.</b>	)	

Defendant United States has noticed for hearing and decision a motion to dismiss. The matter was scheduled for hearing to be held on November 22, 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 8, 2010. Plaintiff failed to do so.

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

1           Therefore, IT IS HEREBY ORDERED that the previously set hearing date of November  
2 22, 2010, is VACATED, and no party shall appear at that time. As of November 22, 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 16, 2010

  
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CHIEF UNITED STATES DISTRICT JUDGE