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

SCOTT PHIPPS,

Plaintiff,

vs.

WELLS FARGO BANK, N.A., et al,

Defendants.

CASE NO. CV F 10-2025 LJO SKO

**ORDER TO VACATE HEARING ON
PLAINTIFF'S MOTION FOR PRELIMINARY
INJUNCTION
(Doc. 7.)**

Based on plaintiff's withdrawal, this Court VACATES the December 15, 2010 hearing on plaintiff's motion for preliminary injunction. This Court takes no action on the motion for preliminary injunction which plaintiff may refile and set another hearing date. Defendants need not respond to the withdrawn motion for preliminary injunction. The clerk is directed to term document 7.

IT IS SO ORDERED.

Dated: December 3, 2010

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