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

**JACOB WINDING dba Top to Bottom  
Cleaning Service,**

**Plaintiff,**

**v.**

**NDEX WEST, LLC as TRUSTEE;  
WELLS FARGO BANK, N.A., and  
DOES 1 through 100, inclusive,**

**Defendants**

**CV F 10 - 2026 AWI  
DLB**

**ORDER VACATING  
HEARING DATE OF AUGUST  
29, 2011, AND TAKING  
DEFENDANTS MOTION FOR  
ATTORNEYS' FEES**

Doc. # 62

In this action for damages and declaratory relief, the court entered judgment in favor of Defendants on May 18, 2011. On June 15, 2011, Defendants moved for an award of attorneys' fees. Oral argument on Defendants' motion for attorneys' fees was scheduled for August 18, 2011. No opposition has been filed as of this writing, however Plaintiff filed a request on August 18, 201, to appear telephonically at the hearing on Defendants' motion. The court has reviewed Defendants' motion for attorneys' fees and has determined that motion is suitable for decision without oral argument. Local Rule 78-230(h). To the extent Plaintiff may have intended to present objections to Defendants motion for attorneys' fees at oral argument, Plaintiff may submit any objections or arguments *in writing* not later than 4:00 p.m. Friday, September 2, 2011. The court will take the matter under submission as of that date and will thereafter render its opinion.

1           Therefore, IT IS HEREBY ORDERED that the previously set hearing date of August  
2 29, 2011, is VACATED, and no party shall appear at that time. As of September 2, 2011, the  
3 Court will take the matter under submission, and will thereafter issue its decision.  
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5 IT IS SO ORDERED.

6 Dated: August 22, 2011

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9 CHIEF UNITED STATES DISTRICT JUDGE  
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