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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

SEED SERVICES, INC., a California corporation,

Plaintiff,

v.
WINSOR GRAIN, INC., a Minnesota corporation, WILLIAM L. COOK, an individual, and DOES 1 through 35, inclusive,

Defendants.

**CASE NO. 1:10-CV-2185 AWI GSA
ORDER VACATING HEARING
DATE OF FEBRUARY 7, 2011 AND
TAKING MATTER UNDER
SUBMISSION**

Defendants have filed a motion to dismiss for failure to state a claim. Doc. 8. Plaintiff opposes the motion. Doc. 12. Defendants filed a reply. Doc. 13. The court has reviewed the papers filed and has determined that the motion is suitable for decision without further oral argument. See Local Rule 230(g).

Therefore, IT IS HEREBY ORDERED that the previously set hearing date of February 7, 2011, is VACATED, and no party shall appear at that time. As of that date, the court will take the matter under submission and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: February 2, 2011



CHIEF UNITED STATES DISTRICT JUDGE