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

In re:)
)
FRANK MITACEK III and SUSAN)
MITACEK,)
)
 Defendant-Debtors)
_____)
)
HILDA L. SOLIS, Secretary of Labor,)
United States Department of Labor,)
)
 Plaintiff,)
)
 v.)
)
FRANK MITACEK III and SUSAN)
MITACEK,)
)
 Defendants.)
_____)

CASE NO. 1:11-CV-0144 AWI
ORDER VACATING HEARING
DATE OF MARCH 7, 2011 AND
TAKING MATTER UNDER
SUBMISSION

Plaintiff has filed a motion to withdraw reference of an adversary proceeding from the bankruptcy court to the district court. Defendants have not filed an opposition; they are no longer entitled to be heard at oral argument. See Local Rule 230(c). 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 March 7, 2011, is VACATED, and no party shall appear at that time. As of that date, the court will take

1 the matter under submission and will thereafter issue its decision.

2 IT IS SO ORDERED.

3
4 Dated: March 3, 2011


CHIEF UNITED STATES DISTRICT JUDGE

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