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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 RANDY YINGLING,

CASE NO. CV F 11-0303 LJO GSA

12 Plaintiff,

**ORDER TO VACATE HEARING ON
MOTION FOR JUDGMENT ON PLEADINGS
(Doc. 8.)**

13 vs.

14 PRINCIPAL FINANCIAL
15 GROUP, et al.,

16 Defendants.
_____ /

17 After plaintiff filed a motion for remand and an April 22, 2011 hearing was set, several
18 defendants filed a motion for judgment on the pleadings and set a hearing for the same date. Since the
19 remand motion will address whether this action was properly removed to invoke this Court's
20 jurisdiction, this Court VACATES the April 22, 2011 hearing on defendants' motion for judgment on
21 the pleadings. If appropriate after determination of the remand motion, defendants may reset the hearing
22 on their motion for judgment on the pleadings before U.S. District Judge Lawrence J. O'Neill and give
23 no less than 28 days notice. *See* Local Rule 230(b). This Court will take no further action on
24 defendants' motion for judgment on the pleadings and directs the clerk to term doc. 8.

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27 IT IS SO ORDERED.

28 **Dated: March 23, 2011** _____

/s/ Lawrence J. O'Neill _____

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UNITED STATES DISTRICT JUDGE