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

EUGENE FORTE

Plaintiff,

v.

**TOMMY JONES, an individual, and
DOES 1-100, et al.,**

Defendants.

1:11-cv-0718 AWI BAM

**ORDER VACATING
HEARING DATE OF
FEBRUARY 11, 2013, AND
TAKING MATTER UNDER
SUBMISSION**

In this action for damages, defendant Tommy Jones, et al. (“Defendant”) has moved for summary judgment on the Second Amended Complaint of plaintiff Eugene Forte (“Plaintiff”). The matter was scheduled for oral argument to be held February 11, 2013. The Court has reviewed Defendant’s motion, Plaintiff’s opposition, and Defendant’s reply, and the applicable law, and has determined that the motion is suitable for decision without oral argument. Local Rule 78-230(h).

Therefore, IT IS HEREBY ORDERED that the previously set hearing date of February 11, 2013, is VACATED, and no party shall appear at that time. As of February 11, 2013, the Court will take the matter under submission, and will thereafter issue its decision. IT IS SO ORDERED.

Dated: February 7, 2013



SENIOR DISTRICT JUDGE