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

GLENN W. BEVER,)	1:11-CV- 1584 AWI SKO
)	
Plaintiff,)	ORDER VACATING
v.)	NOVEMBER 14, 2011
)	HEARING
CAL-WESTERN RECONVEYANCE)	
CORP.; CITIMORTGAGE, INC.;)	
MORTGAGE ELECTRONIC)	
REGISTRATION SYSTEMS, INC.)	
)	
Defendants.)	

BACKGROUND

On October 12 Defendants CitiMortgage, Inc. and Mortgage Electronic Registration Systems, Inc. filed a motion to dismiss this action. The motion was set for hearing to be held on November 14, 2011. Pursuant to Local Rule 230(c), Plaintiff was required to file either an opposition or a notice of non-opposition no later than October 31, 2011. Plaintiff failed to do so.

On October 19, 2011, Plaintiff filed a renewed motion for a temporary restraining order. On October 26, 2011, the court granted Plaintiff's motion for a temporary restraining order and restrained Defendants from proceeding with a Trustee Sale. The court ordered Defendants to file an opposition to Plaintiff's request for preliminary injunction on or by 3:00 p.m. on November 1, 2011. The court set the hearing on the motion for a preliminary injunction for November 14, 2011. No Defendant has filed any opposition to the request for a preliminary injunction. On November 1, 2011, Defendant CitiMortgage, Inc. filed a request for judicial

1 notice in support of an opposition to Plaintiff's motion for a preliminary injunction. This
2 document contains only a brief declaration, followed by various service documents.

3 Because no party filed an opposition to the pending motions, no party is entitled to be
4 heard at oral argument. See Local Rule 230(c). The court has reviewed the pending motions,
5 and has determined that they are suitable for decision without oral argument. See Local Rule
6 230(g).

7 Therefore, IT IS HEREBY ORDERED that the previously set hearing date of November
8 14, 2011, is VACATED, and no party shall appear at that time. As of November 14, 2011, the
9 court will take Defendants' motion to dismiss under submission and will thereafter issue a
10 decision. As of today's date, the court will take the request for a preliminary injunction under
11 submission and will thereafter issue a decision.

12 IT IS SO ORDERED.

13 Dated: November 9, 2011

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16 CHIEF UNITED STATES DISTRICT JUDGE
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