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

LUCAS E. McCARN, individually and on  
behalf of all others similarly situated,

Plaintiffs

vs.

HSBC USA, INC., et al.,

Defendants.

CASE NO. CV F 12-0375 LJO SKO

**ORDER TO SET BRIEFING SCHEDULE ON  
F.R.Civ.P. 12 MOTIONS**  
(Docs. 94, 106, 111.)

Three F.R.Civ.P. 12 motions (docs. 94, 106, 111) are pending, and an additional F.R.Civ.P. 12 motion may be filed. To promote this Court’s efficiency and resources, this Court will consider all F.R.Civ.P. 12 motions together, and to that end:

1. ORDERS any further F.R.Civ.P. 12 motions to be filed and served **no later than October 5, 2012;**
2. ORDERS plaintiff, **no later than October 26, 2012,** to file and serve papers to respond to all F.R.Civ.P. 12 motions;
3. ORDERS defendants, **no later than November 2, 2012,** to file and serve reply papers; and
4. VACATES the September 20, 2012 and October 9, 2012 hearings on the pending F.R.Civ.P. 12 motions. Pursuant to its practice, this Court will consider all F.R.Civ.P.

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12 motions on the record without a hearing. *See* Local Rule 230(g).

IT IS SO ORDERED.

**Dated: September 5, 2012**

**/s/ Lawrence J. O'Neill**  
UNITED STATES DISTRICT JUDGE