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

6 **WILLIAM RAY JONES, SR.,**

7 **Plaintiff,**

8
9 **vs.**

10 **LEHIGH SOUTHWEST CEMENT**
11 **COMPANY, INC., a California Corporation;**
12 **And DOES 1-50,**

13 **Defendant.**
14

1:12-CV-0633 AWI JLT

**ORDER VACATING HEARING OF
JULY 28, 2014 AND TAKING MATTER
UNDER SUBMISSION**

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16 In this action for damages the court granted the motion of defendant Lehigh Southwest
17 Cement, Co. ("Defendant") for summary judgment on all claims by plaintiff William Ray Jones,
18 Sr. ("Plaintiff"). On June 25, 2014, Plaintiff moved for relief from judgment pursuant to Rule
19 60(b) of the Federal Rules of Civil Procedure. The matter was set for oral argument to be held
20 on July 28, 2014. The court has reviewed Plaintiff's motion and Defendant's opposition and
21 finds that the matter is suitable for decision without oral argument. Local Rule 78-230(h).

22 THEREFORE, it is hereby ORDERED that the hearing date of July 28, 2014, is hereby
23 VACATED and no party shall appear on that date. As of July 28, 2014, the court will take the
24 matter under submission and will thereafter render its decision.

25 IT IS SO ORDERED.

26 Dated: July 25, 2014

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28 **SENIOR DISTRICT JUDGE**