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

NADIA ROBERTS, et al.,

CASE NO. CV F 12-0724 LJO SKO

Plaintiffs,

ORDER TO VACATE HEARING

vs.

(Doc. 26.)

UBS AG, et al.,

Defendants.

_____ /

On January 14, 2013, defendant UBS AG filed a F.R.Civ.P. 12(b)(6) motion to dismiss plaintiffs' First Amended Complaint and set a February 11, 2013 hearing. This Court's Local Rule 230(c) provides: "Opposition, if any, to the granting of the motion shall be in writing and shall be filed and served not less than fourteen (14) days preceding the noticed . . . hearing date. . . . No party will be entitled to be heard in opposition to a motion at oral arguments if opposition to the motion has not been timely filed by that party."

The deadline to file papers to oppose the defense motion to dismiss expired on January 28, 2013. As such, this Court considers the motion to dismiss as unopposed and VACATES the February 11, 2013 hearing. This Court will issue its ruling on the motion to dismiss based on the current record and will entertain no further filings to address the motion to dismiss.

IT IS SO ORDERED.

Dated: January 29, 2013

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