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

KEVIN D. BRYANT,
Plaintiff,
vs.
APOTEX INC., et al.,
Defendant.

CASE NO. CV F 12-1377 LJO JLT

**ORDER TO VACATE HEARING AND TO
SET BRIEFING SCHEDULE**
(Docs. 39, 41.)

_____ /

Plaintiff proceeds pro se and is incarcerated. Defendants filed a F.R.Civ.P. 12(c) motion for judgment on the pleadings and set a January 23, 2013 hearing in violation of Local Rule 230(l). As such, this Court:

1. VACATES the January 23, 2013 hearing and ORDERS no party to appear on that date;
2. ORDERS plaintiff, no later than December 22, 2012, to file and serve papers to oppose defendants' F.R.Civ.P. 12(c) motion for judgment on the pleadings; and
3. ORDERS defendants, no later than December 29, 2012, to file and serve at their option reply papers.

This Court will consider defendants' F.R.Civ.P. 12(c) motion for judgment on the pleadings on the record without oral argument, unless this Court orders otherwise. This Court ADMONISHES the parties and counsel that they are expected to obey the Federal Rules of Civil Procedure and this Court's

1 Local Rules and orders and are subject to sanctions as this Court deems appropriate.

2 IT IS SO ORDERED.

3 **Dated:** November 30, 2012

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

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