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


DAVID LEROY NEWMAN,)	1:12-CV-1629 AWI GSA
)	
Plaintiff,)	
v.)	ORDER VACATING
)	HEARING AND TAKING
THE BANK OF NEW YORK MELLON,)	MATTER UNDER
et al.,)	SUBMISSION
)	
Defendants.)	

Defendants have noticed for hearing and decision a motion to dismiss. The matter is scheduled for a hearing on January 14, 2013, at 1:30 p.m. in Courtroom No. 2. Pursuant to the Local Rules, the Court has reviewed the moving papers and has determined that this matter is suitable for decision without oral argument. Local Rule 230(h).

Therefore, IT IS HEREBY ORDERED that the previously set hearing date of January 14, 2013, is VACATED, and the parties shall not appear at that time. As of January 14, 2013, the Court will take Defendant's motion to dismiss under submission and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: January 9, 2013



UNITED STATES DISTRICT JUDGE