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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF CALIFORNIA
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8 YVONNE ARCURE, et al.,
9 et al.,
10 Plaintiffs,

CASE NO. CV F 13-0541 LJO BAM

**ORDER TO VACATE HEARING AND
TO SET BRIEFING**
(Docs. 10, 12, 13, 16-18)

11 vs.

12 CALIFORNIA DEPARTMENT OF
13 DEVELOPMENTAL SERVICES,
14 et al.,

15 Defendants.
16 _____/

17 On June 6, 2013, defendant Department of Developmental Service (“DDS”) filed
18 motions and amended motions to dismiss, strike and for a more definite statement and set
19 ultimately a July 12, 2013 hearing before Magistrate Judge Barbara A. McAuliffe. In the
20 absence of Magistrate Judge consent, U.S. District Judge Lawrence J. O’Neill will rule on the
21 motions to dismiss, strike and for a more definite statement, as necessary. As such, this Court:

- 22 1. VACATES all July 12, 2013 hearings set by DDS;
23 2. ORDERS plaintiffs, no later than June 28, 2013, to file and serve either: (a) an
24 amended complaint as a matter of course under F.R.Civ.P 15(a); or (b) papers to
25 respond to DDS’ motions to dismiss, strike and for a more definite statement;
26 3. ORDERS DDS, no later than July 10, 2013, to file reply papers, if plaintiffs oppose
27 the motions to dismiss, strike and for a more definite statement; and/or
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4. ORDERS DDS, no later than July 22, 2013, to file papers to respond to plaintiffs' amended complaint, if plaintiffs elect to file an amended complaint rather than papers to oppose the motions to dismiss, strike and for a more definite statement.

Pursuant to its practice, this Court will rule on motions on the record without a hearing (see Local Rule 230(g)), unless this Court orders otherwise.

IT IS SO ORDERED.

Dated: June 7, 2013

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