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

ILA C. RIPSON,

1:13-cv-00572-AWI-GSA

Plaintiff,

**ORDER VACATING HEARING
DATE AND TAKING MATTER
UNDER SUBMISSION**

v.

PARASTOO FARHADY, M.D. and
DOES 1 through 50,

(Doc. 26)

Defendant.

On January 7, 2014, defendant United States of America filed a motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(1). The hearing was set for March 10, 2014, before the undersigned. On February 13, 2014, the United States filed a motion for good faith settlement. That hearing was set for March 21, 2014, before the Honorable Magistrate Judge Gary S. Austin. The hearings on both matters were then continued to March 31, 2014, before the undersigned by order of the Magistrate Judge. No opposition to either motion has been submitted by any party and the time for the filing of an opposition to either motion has run.¹

¹ The failure of a party to file an opposition precludes said party from being heard in opposition at oral argument. See Local Rule 230(c) and Local Rule 135.

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2 On March 14, 2014, the United States filed notice of withdrawal its motion to dismiss
3 because the Plaintiff and the United States had come to a settlement agreement. The motion for
4 good faith settlement remains set for March 31, 2014 before the undersigned. Having reviewed
5 the pleadings of record and all competent and admissible evidence submitted, the Court finds this
6 matter suitable for decision without oral argument. See Eastern District Local Rule 230(g). The
7 hearing date of March 31, 2014 is hereby VACATED and the parties shall not appear at that
8 time. The Court will take the matter under submission and thereafter issue its decision.

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11 IT IS SO ORDERED.

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13 Dated: March 27, 2014


14 SENIOR DISTRICT JUDGE