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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

D.A., a minor by and through his
Guardian ad Litem, APRIL WILSON,
Plaintiff,

CASE NO. CV F 13-1700 LJO JLT

**ORDER TO VACATE HEARING WITH
FILING OF REMAND MOTION**

vs.

(Docs. 4, 6)

McKESSON CORPORATION,
et al.,

Defendants.

_____ /

On November 26, 2013, defendant McKesson Corporation ("McKesson") filed its F.R.Civ.P. 12(c) motion for judgment on the pleadings (doc. 8), and a February 3, 2014 hearing has been set for the motion. On November 21, 2013, plaintiffs had filed their motion to remand (doc. 6) for which a January 17, 2014 hearing is set. This Court does not rule on motions for judgment on the pleadings until its jurisdiction and remand issues are settled. In addition, this Court's practice is to decide motions on the record without a hearing. As such, this Court:

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1. VACATES the February 3, 2014 hearing on McKesson's motion for judgment on the pleadings and ORDERS the parties not to appear on February 3, 2014;

2. ORDERS plaintiffs, no later than 15 days after issuance of an order to deny remand, to file and serve a response to McKesson's motion for judgment on the pleadings; and

3. ORDERS McKesson, no later than seven days after service of plaintiffs' opposition papers, to file and serve optional reply papers for its motion for judgment on the pleadings.

If remand is granted, McKesson's motion for judgment on the pleadings will be deemed moot.

IT IS SO ORDERED.

Dated: January 14, 2014

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