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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

WASATCH POOL HOLDINGS, INC.,  
Plaintiff,  
v.  
MARIO BAILEY,  
Defendant.

Case No. 1:15-cv-00776-TLN-SAB  
ORDER VACATING HEARING ON  
PLAINTIFF’S MOTION TO REMAND

On May 26, 2015, Plaintiff Wasatch Pool Holdings, Inc. (“Plaintiff”) filed a motion to remand. (ECF No. 5.) The motion was set to be heard on July 1, 2015. Although the Court sua sponte issued Findings and Recommendations recommending that this action be remanded back to state court, the Court left the hearing on the motion on calendar to address the issue of attorney’s fees requested by Plaintiff. (See ECF No. 7.)

Pursuant to Local Rule 230(c), Defendant Mario Baley’s (“Defendant”) opposition to the motion was due on June 17, 2015. To date, no opposition has been filed by Defendant. Accordingly, Defendant is not entitled to be heard in opposition to Plaintiff’s motion at oral arguments. Local Rule 230(c).

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1           Accordingly, it is HEREBY ORDERED that the hearing set for July 1, 2015 on  
2 Plaintiff's motion to remand is VACATED and the Court will take the matter under submission  
3 and will issue a ruling on the motion based upon the record and brief on file. The parties shall  
4 not be required to appear at the July 1, 2015 hearing.

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6 IT IS SO ORDERED.

7 Dated: June 18, 2015

  
UNITED STATES MAGISTRATE JUDGE

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