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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
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8 SYLVIA CASAUS,

9 Plaintiff,

10 v.

11 DATA CHECK OF NEVADA, LLC,

12 Defendant.

Case No. 1:16-cv-00740-DAD-SAB

ORDER GRANTING STIPULATION TO
SET ASIDE CLERK'S ENTRY OF
DEFAULT AGAINST DEFENDANT DATA
CHECK OF NEVADA, LLC, AND
DENYING PLAINTIFF'S MOTION FOR
DEFAULT JUDGMENT AS MOOT

(ECF Nos. 9, 11)

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14 Pursuant to the stipulation of the parties to set aside default (ECF No. 13), IT IS
15 HEREBY ORDERED that:

- 16 1. The entry of default on July 28, 2016, is set aside (ECF No. 9);
17 2. Plaintiff's motion for default judgment (ECF No. 11) is denied as moot;
18 3. Plaintiff's first amended complaint (ECF No. 14) is the operative complaint in
19 this matter; and
20 4. The scheduling conference in this matter is reset for December 5, 2016, at 3:00
21 p.m.

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23 IT IS SO ORDERED.

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25 Dated: October 17, 2016


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UNITED STATES MAGISTRATE JUDGE