# UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

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| JESSICA DAILEY,<br><br>Plaintiff,<br><br>v.<br><br>LINKUS ENTERPRISES, LLC,<br><br>Defendant. | Case No. 1:20-cv-01407-AWI-SAB<br><br>ORDER WITHDRAWING MOTION TO COMPEL AND VACATING MAY 25, 2022 HEARING<br><br>(ECF No. 61) |

On May 6, 2022, Plaintiff filed a motion to compel third party Dish Network LLC to produce documents in response to a subpoena, setting the motion for hearing on May 25, 2022. (ECF No. 61.) On the same date, Plaintiff filed an identical motion but set the hearing for June 8, 2022. (ECF No. 62.) It appears the initially filed motion was deficiently noticed under the Local Rules, and thus the second filing was to correctly set the motion for hearing. The Court shall withdraw the initially filed motion as duplicative and moot, and vacate the hearing on May 25, 2022.

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Accordingly, IT IS HEREBY ORDERED that Plaintiff's motion to compel (ECF No. 61) is WITHDRAWN, and the hearing on May 25, 2022, is VACATED.

IT IS SO ORDERED.

Dated: **May 9, 2022**

UNITED STATES MAGISTRATE JUDGE