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

ANDRE RHODES,

Plaintiffs,

No. CIV S-06-1715 MCE PAN (GGH) PS

vs.

ELECTRONIC DATA SYSTEMS
CORPORATION,

Defendants.

ORDER

After having reviewed the defendant's August 15, 2006, Application for Order Continuing Plaintiff's Motion for Summary Judgment, the court has determined to VACATE plaintiff's motion for summary judgment, filed August 10, 2006, and set for hearing on August 31, 2006, without prejudice to be heard at a later date once a scheduling order has issued.

DATED: 8/15/06

/s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

GGH:035
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