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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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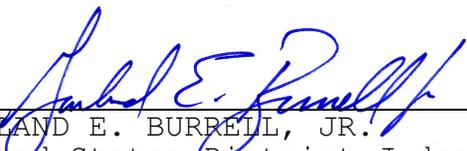
11 CLIFF JOHNSTON, )  
12 Plaintiff, ) 2:07-cv-01280-GEB-EFB  
13 v. ) ORDER VACATING HEARING AND  
14 ) SCHEDULING JURY TRIAL  
15 VALUE HOME LOAN, CHARLENE LINDAUER )  
16 Defendants. )  
\_\_\_\_\_ )

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18 The hearing scheduled for September 14, 2009 is vacated  
19 since the briefs filed in connection with the hearing fail to clearly  
20 explain the law and facts applicable to Plaintiff's remaining federal  
21 claims. Since it is questioned whether the remaining federal claims  
22 can be resolved by briefs, Defendants shall file a motion for summary  
23 judgment no later than October 2, 2009; Plaintiff's opposition shall  
24 be filed on October 26, 2009; Defendants' Reply shall be filed on  
25 November 2, 2009. The hearing on the motion shall commence at 9:00  
26 a.m. on November 9, 2009. Trial is scheduled to commence at 9:00 a.m.  
27 on February 9, 2010.

28 On August 3, 2009 Plaintiff filed a request to have the

1 Court review his original loan documents, but Plaintiff has not  
2 explained whether review is appropriate for decision on any pending  
3 claims now before the Court. Therefore, Plaintiff's request is  
4 denied.

5 Dated: September 10, 2009

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9 GARLAND E. BURRELL, JR.  
10 United States District Judge  
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