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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JEFF NICKLES,

No. 2:08-cv-01155-MCE-KJM

Plaintiff,

v.

ORDER

UNION PACIFIC RAILROAD
COMPANY,

Defendant.

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Presently before the Court is Plaintiff's Motion for Leave to File First Amended Complaint to which Defendant responded by filing a Statement of Non-Opposition.¹ Accordingly, Mr. Nickles' Motion (Docket No. 25) is GRANTED. Plaintiff may (but is not required to) file a First Amended Complaint, not later than ten (10) days after the date this Order is filed electronically. If no renewed motion is filed within said ten (10)-day period, this case will be dismissed without leave to amend.

¹ Because oral argument will not be of material assistance, the Court ordered this matter submitted on the briefing. E.D. Cal. Local Rule 78-230(h).

1 Additionally, Defendants are directed to answer or otherwise
2 respond to said First Amended Complaint within twenty (20) days
3 after the date that Complaint is filed electronically.

4 IT IS SO ORDERED.

5 Dated: April 14, 2009



8 MORRISON C. ENGLAND, JR.
9 UNITED STATES DISTRICT JUDGE

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