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

EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff,

No. CIV S-08-1470 MCE DAD

v.

SIERRA PACIFIC INDUSTRIES,

Defendant.

ORDER

On December 14, 2009, plaintiff filed a motion to compel which was subsequently re-noticed for hearing on January 8, 2010. By minute order filed January 7, 2010, the hearing was dropped from the court's calendar due to the failure to file the required joint statement regarding the discovery dispute, and plaintiff was directed to re-notice the motion. Based on the representation of plaintiff's counsel that the parties are working toward resolving the matter, the pending motion (Doc. No. 35) is denied without prejudice.

IT IS SO ORDERED.

DATED: January 29, 2010.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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