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

DIMAS O'CAMPO,

Plaintiff,

No. 2:08-CV-01624-KJM-DAD

vs.

RAGHBIR SINGH GHOMAN d/b/a
QUIK SHOP 2; GHOMAN'S
PROPERTIES, LLC,

Defendants.

ORDER

Plaintiff filed this action on July 15, 2008. (ECF 1.) On July 29, 2009, the court granted the motion to withdraw filed by defendants' counsel, Cris. C. Vaughan. (ECF 9.) On March 19, 2012, Alfred Walter Driscol, III of Chico, California entered an appearance on behalf of defendants. (ECF 31.) Plaintiff filed a motion for summary judgment on February 8, 2013. (ECF 42.) The Clerk of Court entered a notice on the docket indicating that notice of plaintiff's motion

[C]ould not be served on [Driscol]. The court received a bounceback notification that the email to [Driscol's email address on file] was undeliverable. Court attempted to contact [Driscol] at his phone number and it is disconnected. The California Bar Website has the same contact information on file and indicates the State Bar has filed disciplinary charges against Mr. Driscol.

(ECF 43.)

1 Subsequently, the court reset the hearing on plaintiff's motion, originally set for
2 March 15, 2013, to May 10, 2013. (ECF 45.) The court also ordered plaintiff to serve the
3 motion on defense counsel and separately on defendants by mail. (ECF 45.) Plaintiff filed a
4 certificate of service on both defense counsel and defendants on March 14. (ECF 46.) Plaintiff
5 has filed an ex parte application requesting to contact defendants directly, explaining that
6 plaintiff's attempts to contact defendants' counsel have been futile. (ECF 47.) Electronic
7 service on Driscoll of the ex parte application was also unsuccessful. (ECF 48.)

8 As plaintiff has already served the motion on defendants by mail and received
9 no response, the court denies this request. In light of defendants' lack of response, however,
10 the hearing set for May 10, 2013 is vacated under Local Rules 230(c) and 230(g).

11 IT IS SO ORDERED.

12 DATED: April 30, 2013.

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16 UNITED STATES DISTRICT JUDGE
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