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

SARA MONROE,

No. CIV S-08-2944 FCD EFB

Plaintiff,

vs.

ZIMMER US, INC., et al.,

Defendants.

ORDER

On May 6, 2010, defendants Zimmer US, Inc. and Zimmer, Inc. (“defendants”) withdrew their motion to quash a subpoena plaintiff served on third party Court Street Surgery on February 11, 2010. Dckt. Nos. 46, 30. In their withdrawal notice, defendants state that they “no longer ha[ve] any objection to Court Street Surgery responding to the subpoena.” Dckt. No. 46.

In light of defendants’ withdrawal of the motion to quash and indication that they do not oppose the subpoena at issue, the May 12, 2010 hearing on the motion is vacated. Additionally, the order issued on February 25, 2010, which stated that “Court Street Surgery is not obligated to respond to the subpoena unless and until instructed to do so by the court,” is vacated. Court Street Surgery shall respond to the subpoena in conformance with the Federal Rules of Civil Procedure.

///

1           The Clerk of Court shall serve a copy of this order on Court Street Surgery at 2184 Court  
2 Street, Redding, California 96001.

3           SO ORDERED.

4 Dated: May 6, 2010.



EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE

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