

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

KEVIN GALIK,

Plaintiff,

No. 2: 09-cv-0152 KJN P

vs.

A. NANGALAMA, et al.,

Defendants.

ORDER

_____ /

On June 1, 2011, defendants Nangalama and Duc filed motion to dismiss and/or in the alternative motion for summary judgment. On September 9, 2011, plaintiff filed a pleading stating that he could not oppose defendants' motion because his copy of the motion had been destroyed. Accordingly, on September 16, 2011, defendants were ordered to re-serve plaintiff with their motion within seven days.

On September 15, 2011, plaintiff filed an opposition to defendants' motion. Plaintiff does not explain his earlier representation that his copy of the motion was destroyed. In any event, because plaintiff has now filed his opposition, the order directing defendants to re-serve plaintiff with their motion is vacated.

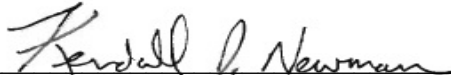
////

////

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

Accordingly, IT IS HEREBY ORDERED that the September 16, 2011 order directing defendants to re-serve plaintiff with the motion to dismiss/motion for summary judgment is vacated.

DATED: September 20, 2011


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

gal152.vac