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

LONNIE G. SCHMIDT, et al.,

Plaintiffs,

CIV. NO. S-09-660 LKK GGH PS

vs.

UNITED STATES OF AMERICA, et al.,

Defendants.

ORDER

Three motions to dismiss presently are calendared for hearing on December 10, 2009. Having reviewed the record, the court has determined that oral argument would not be of material assistance in determining the pending motions. Accordingly, the court will not entertain oral argument, and will determine the motions on the record, including the briefing in support of and in opposition to the pending motions. See E.D. Cal. L.R. 78-230(h).

Accordingly, IT IS ORDERED that:

1. The December 10, 2009 hearing on the motions to dismiss, filed October 29 and 30, 2009, (dkt. #s 24, 26, 27), is vacated; and
2. The motions are submitted on the record.

DATED: December 3, 2009

/s/ Gregory G. Hollows

GREGORY G. HOLLOWES
U. S. MAGISTRATE JUDGE

GGH:076:Schmidt0660.vac.wpd