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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

Defendants' motion to strike or in the alternative motion to dismiss presently is calendared for hearing on October 14, 2010. Having reviewed the record, the court has determined that oral argument would not be of material assistance in determining the pending motion. Accordingly, the court will not entertain oral argument, and will determine the motion on the record, including the briefing in support of the pending motion. See E.D. Cal. L.R. 230(g).

Accordingly, IT IS ORDERED that:

1. The October 14, 2010 hearing on the motion to strike or dismiss, filed September 13, 2010, is vacated; and
2. The motion is submitted on the record.

DATED: October 7, 2010

/s/ Gregory G. Hollows

U. S. MAGISTRATE JUDGE

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