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

SHERITA HORTON,
Plaintiff, CIV. NO. S-09-0818 GEB GGH PS
vs.
INDYMAC FEDERAL BANK, FSB,
Defendant. ORDER

Defendant FDIC, as receiver for Indymac Federal Bank, has filed a motion to lift stay and set deadline to respond to complaint, which presently is calendared for hearing on February 25, 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. 78-230(h).

Accordingly, IT IS ORDERED that:

- 1. The February 25, 2010 hearing on the motion to lift stay and set deadline to respond to complaint, filed January 5, 2010, is vacated; and
- 2. The motion is submitted on the record.

DATED: February 17, 2010

/s/ Gregory G. Hollows
GREGORY G. HOLLOWS
U. S. MAGISTRATE JUDGE

GGH:076:Horton0818.vac.wpd