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

ANO LAUTIEJ,

Plaintiff,

CIV. NO. S- 09-3315 FCD GGH PS

vs.

WAL-MART #2308,

Defendant.

ORDER

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Defendant’s motion to dismiss presently is calendared for hearing on March 4, 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 and in opposition to the pending motion. See E.D. Cal. L.R. 78-230(h).

Accordingly, IT IS ORDERED that:

1. The March 4, 2010 hearing on the motion to dismiss, filed February 1, 2010, is vacated; and
2. The motion is submitted on the record.

DATED: March 2, 2010

/s/ Gregory G. Hollows

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GREGORY G. HOLLOWES  
U. S. MAGISTRATE JUDGE

GGH:076:Lautiej3315.vac.wpd