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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 NATHAN BROWN, et al.,

12 Plaintiffs,

No. CIV S-10-1114 JAM KJM PS

13 vs.

14 CARRINGTON MORTGAGE SERVICES, LLC,

15 Defendant.

ORDER

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17 This action was referred to the undersigned pursuant to Local Rule 72-302(c)(21).  
18 Defendant's motion to dismiss is calendared for hearing on June 23, 2010. No opposition to the  
19 motion has been filed.

20 Local Rule 78-230(c) provides that opposition to the granting of a motion must be  
21 filed fourteen days preceding the noticed hearing date. The Rule further provides that "[n]o  
22 party will be entitled to be heard in opposition to a motion at oral arguments if written opposition  
23 to the motion has not been timely filed by that party." In addition, Local Rule 78-230(i)  
24 provides that failure to appear may be deemed withdrawal of opposition to the motion or may  
25 result in sanctions. Finally, Local Rule 11-110 provides that failure to comply with the Local

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1 Rules “may be grounds for imposition of any and all sanctions authorized by statute or Rule or  
2 within the inherent power of the Court.”

3 Good cause appearing, IT IS HEREBY ORDERED that:

4 1. The hearing date of June 23, 2010 is vacated. Hearing on defendant’s motion  
5 is continued to July 21, 2010 at 10:00 a.m. in courtroom no. 26.

6 2. Plaintiffs shall file opposition, if any, to the motion no later than July 7, 2010.  
7 Failure to file opposition and appear at the hearing will be deemed as a statement of non-  
8 opposition and shall result in a recommendation that this action be dismissed pursuant to Federal  
9 Rule of Civil Procedure 41(b).

10 DATED: June 11, 2010.

11 006  
12 brown.nop

  
U.S. MAGISTRATE JUDGE