

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BEFORE THE HONORABLE KENDALL J. NEWMAN

MONTE L. LOW,

No. 2:10-cv-01624 JAM KJN PS

Plaintiff,

v.

**MINUTE ORDER**

CITY OF SACRAMENTO,

Defendant.

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In light of defendants' motion to dismiss [Docket #18] that is under submission with the Court, plaintiff's motion for summary judgment [Docket #26] is DENIED without prejudice. Plaintiff may re-file the motion for summary judgment or re-notice the motion for summary judgment for a hearing after the Court has resolved the defendants' motion to dismiss.

Dated: January 25, 2011

/s/ Matt Caspar  
Matt Caspar,  
Courtroom Deputy, for the  
Honorable Kendall J. Newman