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

STEPHEN FOOS,

No. CIV S-10-2201-FCD-CMK

Plaintiff,

vs.

ORDER

WELLS FARGO HOME MORTGAGE,

Defendant.

_____ /

Plaintiff, proceeding pro se, brings this civil action regarding his home loan mortgage, apparently alleging violations of the Real Estate Settlement Procedures Act, 12 U.S.C. § 2601 *et seq.*, and the Truth in Lending Act, 15 U.S.C. § 1601, *et seq.*

This matter is set for an initial scheduling conference on January 13, 2011, before the undersigned in Redding, California. Also pending before the court is defendant's motion to dismiss. Findings and Recommendations have issued on the motion to dismiss, recommending the motion be granted. The final order on the motion has not yet issued. The court therefore finds it appropriate to vacate the scheduling conference until the pending motion to dismiss has been resolved. Once the motion has been resolved, the court will reset a scheduling conference in this matter if appropriate.

1 Accordingly, IT IS HEREBY ORDERED that the scheduling conference set for
2 January 13, 2011, is vacated, to be reset following final resolution of the pending motion to
3 dismiss, if appropriate.
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5 DATED: January 4, 2011

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8 **CRAIG M. KELLISON**
9 UNITED STATES MAGISTRATE JUDGE
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