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

PATRICK JOJOLA, et al.,

Plaintiffs,

No. CIV S-10-2351 LKK KJM PS

vs.

WELLS FARGO BANK, N.A., et al.,

Defendants.

ORDER

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This action was referred to the undersigned pursuant to Local Rule 302(c)(21).  
Calendared for hearing on October 20, 2010 is defendants’ motion to dismiss. No opposition to  
the motion has been filed.

Local Rule 230(c) provides that opposition to the granting of a motion must be  
filed fourteen days preceding the noticed hearing date. The Rule further provides that “[n]o party  
will be entitled to be heard in opposition to a motion at oral arguments if written opposition to  
the motion has not been timely filed by that party.” In addition, Local Rule 230(I) provides that  
failure to appear may be deemed withdrawal of opposition to the motion or may result in  
sanctions. Finally, Local Rule 110 provides that failure to comply with the Local Rules “may be  
grounds for imposition of any and all sanctions authorized by statute or Rule or within the  
inherent power of the Court.”

1 Good cause appearing, IT IS HEREBY ORDERED that:

2 1. The hearing date of October 20, 2010 is vacated. Hearing on defendants'  
3 motion is continued to December 8, 2010 at 10:00 a.m. in courtroom no. 26.

4 2. Plaintiff shall file opposition, if any, to the motion no later than November 24,  
5 2010 . Failure to file opposition will be deemed as a statement of non-opposition and shall result  
6 in submission of the motion on the papers and a recommendation that this action be dismissed  
7 pursuant to Federal Rule of Civil Procedure 41(b).

8 DATED: October 13, 2010.

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12 U.S. MAGISTRATE JUDGE