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

GREGORY BELL,

Plaintiff,

No. CIV. S-10-2529 GGH

vs.

MICHAEL J. ASTRUE,

Defendant.

ORDER

_____ /

Presently before this court is defendant’s motion to dismiss, filed May 31, 2011. Plaintiff has filed an opposition. The papers raise questions which may be resolved through a hearing.

Accordingly, IT IS ORDERED that:

1. A hearing on defendant’s motion to dismiss is scheduled for Thursday, October 6, 2011, at 10:00 a.m. in Courtroom #9.

2. Defendant shall be prepared to address the origin of plaintiff’s claim that defendant has been deducting ten percent from his monthly benefit payments from 2005 to the present.

Dated: September 14, 2011

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

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