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

EDNA MILLER, et al.,

Plaintiffs,

No. CIV S-10-2850 GEB DAD

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

ORDER

_____ /

Plaintiffs Edna Miller and David McGuire commenced this action by filing a pro se complaint on October 21, 2010. Pursuant to Local Rule 302(c)(21), the case was referred to the assigned magistrate judge for all purposes described in the Rule. Vip Bhola, Esq. has submitted a proposed substitution of attorney as counsel of record for both plaintiffs. By separate order, the substitution of counsel for plaintiffs in propria persona is approved pursuant to Local Rule 180, subject to counsel’s compliance with Local Rules 135 and 180(a) and (f). Local Rule 302(c)(21) provides that an action initially assigned to a magistrate judge “shall be referred back to the assigned Judge if a party appearing in propria persona is later represented by an attorney.”

Accordingly, IT IS ORDERED that:

1. Pursuant to Local Rule 302(c)(21), this action is referred back to the assigned district judge for further proceedings;

1 2. The docket shall be modified to reflect that this case is not a Pro Se case, and all
2 documents hereafter submitted for filing in this case shall bear case number 2:10-cv-2850 GEB DAD
3 or CIV S-10-2850 GEB DAD;

4 3. Defendants' December 7, 2010 motion to dismiss (Doc. No. 9) and January 14, 2011
5 motion to strike and dismiss (Doc. No. 13), both of which are set for hearing before the undersigned on
6 February 18, 2011, are dropped from the calendar and must be re-noticed for hearing before the district
7 judge; counsel may contact Shani Furstenau, Courtroom Deputy to the Honorable Garland E. Burrell,
8 Jr., at (916) 930-4114 for information regarding dates and times; and

9 4. The undersigned defers to the assigned district judge regarding the motion for
10 extension of time filed by plaintiffs' counsel on February 4, 2011 (Doc. No. 17).

11 DATED: February 15, 2011.

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15 DALE A. DROZD
16 UNITED STATES MAGISTRATE JUDGE

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