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

SHAWN L. RANDOLPH,

Plaintiff,

vs.

No. 2:11-cv-0028 GEB GGH PS

FEDEX - FEDERAL EXPRESS  
CORPORATION,

Defendant.

ORDER

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Defendant's motion to dismiss presently is calendared for hearing on January 31, 2013. Having reviewed the record, and the failure of plaintiff to file an opposition, the court has determined that oral argument would not be of material assistance in determining the pending motion. Accordingly, the court will not entertain oral argument, and will determine the motion on the record, including the briefing in support of the pending motion. See E.D. Cal. L.R. 230(g).

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Accordingly, IT IS ORDERED that:

1. The January 31, 2013 hearing on the motion to dismiss, filed December 27, 2012, is vacated; and
2. The motion is submitted on the record.

DATED: January 24, 2013

/s/ Gregory G. Hollows  
UNITED STATES MAGISTRATE JUDGE

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