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

MARK A. GRANT,

Plaintiff,

No. 2:11-cv-00360 LKK KJN PS

v.

UNITED STATES OF AMERICA,  
et al.,

Defendant.

ORDER

Two motions are presently set for a hearing before the undersigned to take place on August 25, 2011: (1) plaintiff’s motion for judicial review of the “scope of employment certification” under the Westfall Act, 28 U.S.C. § 2679(d) (Dkt. No. 31); and (2) plaintiff’s motion for leave to amend his complaint (Dkt. No. 32). On July 21, 2011, plaintiff filed a document that requests that the above-referenced motions be “dropped” from the August 25, 2011 calendar. (Dkt. No. 49.) The undersigned construes this request as notice of withdrawal of those motions.

Also on July 21, 2011, however, plaintiff filed another motion for leave to file an amended complaint and noticed that motion for a hearing to take place on August 25, 2011 (Dkt. No. 50.) Plaintiff’s most recent motion for leave to amend complies with the notice and timing requirements of Local Rule 230.

1 In light of the foregoing, IT IS HEREBY ORDERED that:

2 1. Pursuant to plaintiff's request, plaintiff's motion for judicial review of the  
3 "scope of employment certification" (Dkt. No. 31) is deemed withdrawn.

4 2. Pursuant to plaintiff's request, plaintiff's motion for leave to amend his  
5 complaint filed on June 23, 2011 (Dkt. No. 32), is deemed withdrawn.

6 3. Plaintiff's motion for leave to amend his complaint filed on July 21, 2011  
7 (Dkt. No. 50), shall be heard on August 25, 2011, as noticed by plaintiff.

8 IT IS SO ORDERED.

9 DATED: July 22, 2011

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12 KENDALL J. NEWMAN  
13 UNITED STATES MAGISTRATE JUDGE  
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