

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

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

JOSEPH A. SHERMAN,

Plaintiff,

No. CIV S- 11-0820 JAM GGH PS

vs.

CITY OF DAVIS,

Defendants.

ORDER

\_\_\_\_\_/

Defendant’s motion to dismiss presently is calendared for hearing on November 17, 2011. Having reviewed the record, 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 and in opposition to the pending motion. See E.D. Cal. L.R. 230(g).

Accordingly, IT IS ORDERED that:

1. The November 17, 2011 hearing on the motion to dismiss, filed September 12, 2011, is vacated; and
2. The motion is submitted on the record.

DATED: November 15, 2011

/s/ Gregory G. Hollows  
UNITED STATES MAGISTRATE JUDGE

GGH:076:Sherman0820.vac.wpd