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

SCOTT JOHNSON,

Plaintiff,

No. CIV S-11-1442 MCE CKD

vs.

NINA BICH THY THUY NGUYEN,

Defendant.

ORDER

_____ /

Default was entered against defendant on August 24, 2011. Defendant now moves to set aside the default, contending that a letter was sent to the court on August 17, 2011 which defendant intended as the answer to the complaint. Good cause appearing, IT IS

HEREBY ORDERED that:

1. The motion to set aside default (dkt. no. 11) is granted;
2. The Clerk's entry of default (dkt. no. 10) is vacated;
3. The court construes defendant's letter, dated August 17, 2011, as defendant's

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1 answer to the complaint. The Clerk of Court is directed to docket as an answer the August 17,
2 2011 letter (dkt. no. 11, pages 2-5).

3 Dated: September 6, 2011

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5 CAROLYN K. DELANEY
6 UNITED STATES MAGISTRATE JUDGE

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8 johnson-nguyen.def

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