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

BARTLEY S. BACKUS,

Plaintiff,

No. CIV S12-0046 MCE GGH PS

vs.

PLACER COUNTY, et al.,

Defendants.

ORDER

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Presently before the court are defendants' ex parte application for order shortening time to hear their motion to quash subpoenas, filed April 23, 2012, and defendants' motion to dismiss, filed April 5, 2012, and presently calendared for hearing on May 10, 2012.

Plaintiff issued subpoenas on two Placer County sheriff deputies to appear at the hearing on the motion to dismiss. As testimony is not necessary in determining the motion to dismiss, the subpoenas will be quashed.

Having also reviewed the motion, 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).

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Accordingly, IT IS ORDERED that:

1. Defendants' ex parte application for order shortening time to hear their motion to quash subpoenas, filed April 23, 2012, is denied as unnecessary.
2. The subpoenas issued by plaintiff on Andrew Baumbach and Will Hafelfinger, (dkt. no. 10), are quashed.
3. The May 10, 2012 hearing on the motion to dismiss, filed April 5, 2012, is vacated; and
4. The motion is submitted on the record.

DATED: April 25, 2012

/s/ Gregory G. Hollows  
UNITED STATES MAGISTRATE JUDGE

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