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

ROBERT H. HALE, *et al.*,

Plaintiffs,

No. CIV 2:12-cv-1462-GEB-JFM (PS)

vs.

WORLD SAVINGS BANK, *et al.*,

Defendants.

ORDER

_____ /

This action was referred to the undersigned pursuant to Local Rule 302(c)(21). On June 25, 2012, defendant Golden West Savings Association Service Company filed a motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) and a motion to strike. No opposition to the motions to dismiss has been filed.

Local Rule 230(c) provides that opposition to the granting of a motion must be filed fourteen days preceding the noticed hearing date. The Rule further provides that “[n]o party will be entitled to be heard in opposition to a motion at oral arguments if written opposition to the motion has not been timely filed by that party.” In addition, Local Rule 230(i) provides that failure to appear may be deemed withdrawal of opposition to the motion or may result in sanctions. Finally, Local Rule 110 provides that failure to comply with the Local Rules “may be grounds for imposition of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.”

1 Good cause appearing, IT IS HEREBY ORDERED that:

2 1. The hearing date of August 23, 2012 is vacated. Hearing on defendant's
3 motion to dismiss is continued to September 27, 2012 at 11:00 a.m. in courtroom no. 26.

4 2. Plaintiff shall file opposition, if any, to the motion to dismiss and motion to
5 strike, no later than August 30, 2012. Failure to file opposition and appear at the hearing will be
6 deemed a statement of non-opposition and shall result in a recommendation that this action be
7 dismissed pursuant to Federal Rule of Civil Procedure 41(b).

8 DATED: August 20, 2012.

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11 UNITED STATES MAGISTRATE JUDGE

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