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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

LINDA M. SCHALDACH, fka LINDA M.  
LOWRY,

Plaintiff,

v.

DIGNITY HEALTH, et al.,

Defendants.

No. 2:12-cv-02492-MCE-KJN

**ORDER**

Defendants Dignity Health, Dignity Health Medical Foundation, Shelley Noyes, A.C. Saechao, and Dedra Bouchard (collectively, "Defendants") filed a Motion for Summary Judgment on July 9, 2015 and set the Motion to be heard on August 20, 2015. ECF No. 40. This was two weeks less than the eight weeks' notice required by the Court's Pretrial Scheduling Order. See ECF No. 36 at 4:3-10. Rather than contact Defendants about this discrepancy, Plaintiff Linda Schaldach ("Plaintiff") filed a Motion to Strike and a Request for Sanctions with the Court. ECF No. 42. Subsequent to Plaintiff's filing, Defendants re-noticed their Motion for Summary Judgment for September 3, 2015. ECF No. 46.

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Given that Defendants have re-noticed their Motion in compliance with the Pretrial Scheduling Order, Plaintiff's Motion is DENIED as moot. The hearing on that Motion, currently set for August 6, 2015, is hereby VACATED. The Court declines Plaintiff's request to impose sanctions.

IT IS SO ORDERED.

Dated: July 17, 2015



MORRISON C. ENGLAND, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT