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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

TRUTHOUT,

Plaintiff,

v.

DEPARTMENT OF JUSTICE,

Defendant.

No. CIV. S-12-2601 LKK/CKD

**ORDER**

Plaintiff Truthout's motion to strike, or alternatively, to file in the public record, the *in camera*, *ex parte* declaration of David M. Hardy filed in support of defendant Department of Justice's motion for summary judgment is currently set for hearing on January 31, 2014. (ECF No. 50.)


The court is in receipt of plaintiff's request to submit the motion on the papers (ECF No. 57) and defendant's statement of non-opposition thereto (ECF No. 58). Having considered the matter, the court is of the view that oral argument is unnecessary, and will take the matter under submission as plaintiff requests.

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Accordingly, the court hereby orders that the hearing on plaintiff's motion, currently set for January 31, 2014 at 10 a.m., is VACATED. An order on the motion will be forthcoming.

IT IS SO ORDERED.

DATED: January 28, 2014.

  
LAWRENCE K. KARLTON  
SENIOR JUDGE  
UNITED STATES DISTRICT COURT