

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

JEFFERY W. WALBERG, No. 2:14cv0988-TLN-CMK

Plaintiff,

VS.

ORDER

UNITED STATES POSTAL SERVICE, et al.,

Defendants.

Plaintiff, proceeding in propria persona, brings this civil action under 28 U.S.C. § 1331. The parties filed a stipulation to move the hearing date on defendant's motion to dismiss. The Court previously took the motion to dismiss off calendar due to no opposition being filed. Pursuant to the parties' stipulation, the Court will reset the hearing date and briefing schedule on the motion to dismiss. The parties' stipulation is consistent with the District of California Local Rule 230(c). However, given the parties' stipulation, it is appropriate to reset the hearing and briefing schedule on the motion to dismiss.

22 Accordingly, the hearing previously scheduled for April 22, 2015, at 10:00 a.m., is
23 hereby reset for June 24, 2015, at 10:00 a.m., before the undersigned in Redding, California. The
24 parties shall brief the motion in accordance with Local Rule 230. Any opposition to the motion,
25 if any, shall be filed at least fourteen (14) days prior to the hearing date; any reply brief shall be
26 filed no less than seven (7) days prior to the hearing date. If no timely opposition is filed, the

1 court may take the hearing off calendar and deem the unopposed motion submitted.

2 In addition, there is an initial scheduling conference set for April 29, 2015, also
3 before the undersigned in Redding, California, which the court finds appropriate to vacate until
4 the pending motion to dismiss has been resolved. Accordingly, the scheduling conference set for
5 April 29, 2015, is hereby taken off calendar. The court will reset a scheduling conference in this
6 matter if appropriate.

7 IT IS SO ORDERED.

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9 DATED: April 24, 2015

10 
11 CRAIG M. KELLISON
12 UNITED STATES MAGISTRATE JUDGE