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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CARLOS ESPINO,
Plaintiff,
v.
WALLGREENS PHARMACY,
Defendant.

No. 2:15-cv-00423-MCE-AC

ORDER

On March 19, 2015, defendant filed a motion to dismiss that set the hearing before Chief Judge Morrison C. England, Jr. ECF No. 4. That motion was vacated after this action was referred to the undersigned pursuant to Local Rule 302(c)(21). ECF No. 7. On March 25, 2015, defendant filed a subsequent motion to dismiss properly noticed before the undersigned. ECF No. 8. The hearing on defendant’s motion to dismiss was set for April 22, 2015. No opposition to the motion to dismiss has been filed.

Local Rule 230(c) provides that opposition to the granting of a motion must be filed fourteen (14) 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(j) 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

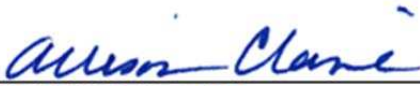
1 grounds for imposition of any and all sanctions authorized by statute or Rule or within the
2 inherent power of the Court.”

3 Good cause appearing, IT IS HEREBY ORDERED that:

4 1. The hearing date of April 22, 2015, is vacated. Hearing on defendant’s motion to
5 dismiss, ECF No. 8, is continued to May 20, 2015, at 10:00 a.m. in Courtroom No. 26.

6 2. Plaintiff shall file opposition, if any, to the amended motion to remand no later than
7 May 6, 2015. Failure to file an opposition and appear at the hearing will be deemed as a
8 statement of non-opposition and may result in a recommendation that this action be dismissed.

9 DATED: April 17, 2015

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11 ALLISON CLAIRE
12 UNITED STATES MAGISTRATE JUDGE
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