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

CLARKE AND REBECCA WIXON, et al.,  
Plaintiffs,  
v.  
WYNDHAM RESORT DEVELOPMENT  
COMPANY, et al.,  
Defendants.

No. C 07-02361 JSW

**ORDER VACATING HEARING  
ON MOTION TO ADOPT AND  
MODIFY SPECIAL MASTER’S  
REPORT AND  
RECOMMENDATION AND ON  
PLAINTIFF’S OBJECTIONS TO  
REPORT AND  
RECOMMENDATION**

\_\_\_\_\_ /  
This matter comes before the Court upon consideration of the Motion to Adopt and Modify the Special Master’s Report and Recommendation, filed by Wyndham Resort Development Company (“WRDC”), and upon consideration of Plaintiffs’ Objections to the Special Master’s Report and Recommendation. Having considered the parties’ papers, relevant legal authority, and the record in this case, the Court finds these matters suitable for disposition without oral argument. *See* N.D. Civ. L.R. 7-1(b). **Accordingly, the hearing set for August 28, 2009 is VACATED, and the Case Management Conference shall be heard at 1:30 p.m. on that date.**

Having also considered WRDC’s Motion to Strike the Supplemental Levine Declaration and Plaintiffs’ opposition thereto, the Court concludes that no hearing on that motion shall be necessary. Accordingly, once the reply on that motion is filed, all pending matters will be ripe

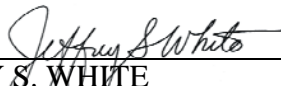
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for decision and the Court shall issue an order or orders on these matters in due course.

**IT IS SO ORDERED.**

Dated: August 19, 2009

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE