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

REGINALD EDWARD/ELLIS,

No. C 07-05452 WHA

Plaintiff,

v.

**ORDER RE HEARING ON  
MOTION FOR SUMMARY  
JUDGMENT**

NEW UNITED MOTORS  
MANUFACTURING INC.,

Defendant.

Plaintiff, who is now acting *pro se*, filed this lawsuit alleging, *inter alia*, claims for wrongful termination, slander and breach of the collective bargaining agreement. Defendant moved for summary judgment, and a hearing on the motion is scheduled for December 18, 2008. Plaintiff is currently incarcerated in San Quentin prison and therefore filed a request for an order allowing him to appear at the hearing.

Because the Court finds that a hearing on the motion is unnecessary, the December 18 hearing is hereby **VACATED**. The motion will be decided on the papers. Plaintiff's request is therefore moot.

Plaintiff has filed two documents, a "motion for summary judgment or in the alternative summary adjudication," and a "declaration of Reginald Edward/Ellis opposing defendant's motion for summary judgment." Because plaintiff filed no other opposition to defendant's motion, the Court interprets these documents as plaintiff's opposition to defendant's motion and

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a declaration in support thereof. The deadline for filing any new dispositive motions has passed (Dkt. No. 22 ¶ 9).

**IT IS SO ORDERED.**

Dated: December 4, 2008

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE