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

SPENCER R. McMULLEN,

Plaintiff,

No. C 08-01523 JSW

v.

DELTA AIR LINES INC. and DOES 1
through 100,

Defendants.

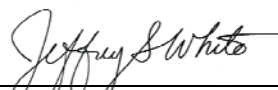
**ORDER VACATING HEARING
ON MOTION TO DISMISS AND
CASE MANAGEMENT
CONFERENCE**

_____/

Pursuant to Civil Local Rule 7-1(b), the Court finds that the motion to dismiss which has been noticed for hearing on Friday, September 26, 2008 at 9:00 a.m., is appropriate for decision without oral argument. Accordingly, the hearing date is hereby VACATED. The motion will be taken under submission and decided on the papers. In addition, the initial case management conference is also VACATED and shall be reset by further order, if necessary.

IT IS SO ORDERED.

Dated: September 24, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE