

United States District Court
For the Northern District of California

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

ADVANTAGE BATTERY CORP., INC.,

No. C-08-1827 MMC

Plaintiff,

**ORDER VACATING MAY 22, 2009
HEARING**

v.

STEELSCAPE, INC.,

Defendant,

AND RELATED THIRD-PARTY CLAIMS.

Before the Court is third-party defendant Imsa Acero S.A. de C.V.'s motion, filed January 30, 2009 and scheduled for hearing on May 22, 2009, to dismiss defendant/third-party plaintiff Steelscape, Inc.'s third-party complaint. Pursuant to the Civil Local Rules of this District, opposition was due no later than May 1, 2009. See Civil L. R. 7-3(a) (providing "[a]ny opposition to a motion must be served and filed not less than 21 days before the hearing date"). To date, no opposition has been filed.

Accordingly, the Court deems the matter submitted on the moving papers and hereby VACATES the hearing scheduled for May 22, 2009.

IT IS SO ORDERED.

Dated: May 19, 2009


MAXINE M. CHESNEY
United States District Judge