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

LINDELL VAN DYKE, as trustee for
the VAN DYKE FAMILY TRUST,
Individually and on behalf of all others
similarly situated,

No. C 08-01962 JSW

Plaintiff,

ORDER VACATING HEARING

v.

WELLS FARGO & CO. and WELLS FARGO
INVESTMENTS, LLC,

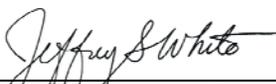
Defendants.

_____ /

Pursuant to Civil Local Rule 7-1(b), the Court finds that the motion to dismiss which has been noticed for hearing on Friday, October 23, 2009 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. A case management conference shall be reset, if necessary, by further order.

IT IS SO ORDERED.

Dated: October 22, 2009



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE