

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

DAVID LEVIN,
Plaintiff,
v.
CITIBANK, N.A.,
Defendant

No. C-09-0350 MMC

**ORDER VACATING AUGUST 28, 2009
HEARING ON DEFENDANTS' MOTIONS
TO DISMISS AND TO STRIKE**

Before the Court are defendant Citibank, N.A.'s ("Citibank") "Motion to Dismiss Each Claim and All of the Claims in Plaintiff's Complaint," filed June 5, 2009, and Citibank's "Motion to Strike Certain Allegations in Plaintiff's Complaint," filed June 5, 2009. Plaintiff David Levin has filed opposition to each motion, and Citibank has filed a reply to each opposition. Having read and considered the papers filed in support of and in opposition to the motions, the Court deems the matters suitable for decision on the parties' respective filings, and VACATES the hearing scheduled for August 28, 2009.

IT IS SO ORDERED.

Dated: August 25, 2009


MAXINE M. CHESNEY
United States District Judge