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UNITED STATES DISTRICT COURT
Northern District of California

JUDITH BLACKWELL,

Plaintiff(s),

v.

INDYMAC BANK FSB,

Defendant(s).

No. C 09-04027 MEJ

ORDER VACATING OSC

ORDER RE: MOTION TO DISMISS

On September 21, 2009, the Court issued an order to show cause why this case should not be dismissed for Plaintiff's failure to prosecute. (Dkt. #8.) Having received Plaintiff's counsel's response, the Court hereby VACATES the order to show cause. As Defendant's motion to dismiss (Dkt. #4) remains pending, Plaintiff shall file any opposition by October 15, 2009, and Defendant shall file any reply by October 22, 2009. The Court shall conduct a hearing on November 5, 2009 at 10:00 a.m. in Courtroom B. 15th Floor, 450 Golden Gate Avenue, San Francisco, California.

Plaintiff is also reminded that she has not filed her consent/declination form. (See Dkt. #7.) Plaintiff shall file her consent/declination by October 15, 2009.

IT IS SO ORDERED.

Dated: October 13, 2009



Maria-Elena James
Chief United States Magistrate Judge