

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

MARK OTTOVICH,  
Plaintiff,

v.

CITY OF FREMONT, et al.,  
Defendants.

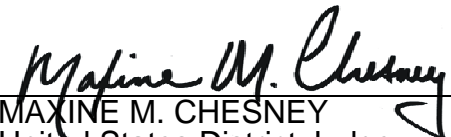
No. C-09-4181 MMC

**ORDER VACATING OCTOBER 18, 2013  
HEARING ON DEFENDANTS' MOTION  
TO DISMISS**

Before the Court is defendants' Motion to Dismiss Action Based on Plaintiff's Failure to Comply With Discovery, filed September 13, 2013. Plaintiff has filed opposition, to which defendants have replied. Having read and considered the papers filed in support of and in opposition to the motion, the Court deems the matter suitable for decision thereon, and VACATES the hearing scheduled for OCTOBER 18, 2013.

**IT IS SO ORDERED.**

Dated: October 16, 2013

  
MAXINE M. CHESNEY  
United States District Judge