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UNITED STATES DISTRICT COURT
For the Northern District of California

UNITED STATES DISTRICT COURT
Northern District of California

THE BANK OF NEW YORK

Plaintiff(s),

No. C 09-05432 MEJ

v.

MARIO LOPEZ

**ORDER VACATING HEARING RE:
PLAINTIFF'S MOTION TO REMAND**

Defendant(s).

Pending before the Court is Plaintiff's motion to remand, filed on December 8, 2009. (Dkt. #5.) However, Plaintiff noticed the motion for a hearing on January 7, 2010. Plaintiff's noticed hearing date does not comply with Civil Local Rule 7. Accordingly, the Court hereby VACATES the January 7 hearing. Plaintiff shall re-notice its motion pursuant to Civil Local Rule 7.

IT IS SO ORDERED.

Dated: December 9, 2009



Maria-Elena James
Chief United States Magistrate Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

THE BANK OF NEW YORK,

Plaintiff,

v.

MARIO LOPEZ et al,

Defendant.

Case Number: CV09-05432 MEJ

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 9, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Mario Lopez
17361 Lake View Drive
Morgan Hill, CA 95037

Dated: December 9, 2009

Richard W. Wieking, Clerk
By: Brenda Tolbert, Deputy Clerk