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

BURT XAVIER and JAMES FRANKLIN,
individually and on behalf of themselves
and all others similarly situated,

No. C 10-02067 WHA

Plaintiffs,

v.

PHILIP MORRIS USA INC.,
a Virginia corporation,


Defendant.

**ORDER VACATING
MEETING AND
HEARING ON
DEFENDANT'S
DISCOVERY DISPUTE**

On February 11, counsel for defendant Philip Morris USA Inc. filed a letter brief requesting discovery relief (Dkt. No. 60). A hearing and meet-and-confer session on this discovery dispute were scheduled for February 18 (Dkt. No. 62). On February 15, counsel for Philip Morris filed a second letter, stating that the discovery dispute had been resolved and requesting that the February 18 hearing be cancelled (Dkt. No. 63). In light of the resolution of the discovery dispute, both the hearing and the meet-and-confer session set for February 18 are hereby **VACATED**. The Court appreciates the parties' cooperation in resolving this matter.

IT IS SO ORDERED.

Dated: February 16, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE