Further, in light of the denial of the motions to vacate and to reopen the case, plaintiff's "Motion for Summary Adjudication," filed December 14, 2011, "Motion with Leave

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to File a First Amended Complaint," filed December 14, 2011, and "Motion for Appointment of Temporary Receiver," filed December 14, 2011, are hereby DENIED as moot. The January 20, 2012 hearing scheduled by plaintiff is VACATED. IT IS SO ORDERED. Dated: December 19, 2011