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UNITED STATES DISTRICT COURT  
Northern District of California

MITCHELL SMITH,

Plaintiff,

v.

OVERLAND CONTRACTING, INC,

Defendant.

No. C 12-2642 MEJ

**ORDER VACATING HEARING  
RE: DOCKET NO. 37**

This matter is currently scheduled for a hearing regarding Defendant's Motion for Summary Judgment on October 3, 2013. Pursuant to Federal Rule of Civil Procedure 78(b) and Civil Local Rule 7-1(b), the Court finds this matter suitable for disposition without oral argument and hereby VACATES the October 3 hearing. The Court shall issue an order forthwith.

**IT IS SO ORDERED.**

Dated: September 23, 2013



\_\_\_\_\_  
Maria-Elena James  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
For the Northern District of California