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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

6 UNITED STATES OF AMERICA AND
7 STATE OF CALIFORNIA EX REL:
8 RUSTY FRYBERGER, et al.,

9 Plaintiffs,

10 v.

11 KIEWIT PACIFIC COMPANY, et al.,
12 Defendants.

Case No. 12-cv-02698-JST

**ORDER VACATING MOTION
HEARING**

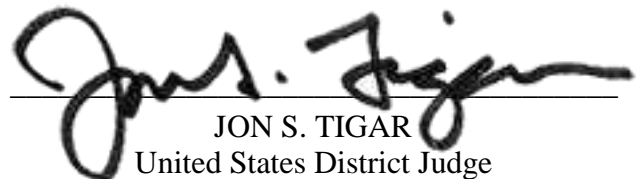
Re: ECF No. 78

13 Before the Court is Defendants' motion to dismiss. ECF No. 78. Pursuant to Federal Rule
14 of Civil Procedure 78(b) and Civil Local Rule 7-1(b), the Court finds that the parties' briefs have
15 thoroughly addressed the issues, rendering the matter suitable for disposition without oral
16 argument. The hearing on this matter, currently scheduled for March 20, 2014, is hereby
17 VACATED.

18 However, if any party advises the Court in writing by no later than two days from the date
19 of this Order that most or all of the argument for its side will be conducted by a lawyer who has
20 been licensed to practice law for four or fewer years, and who has not previously presented
21 argument before this Court, then the Court will reschedule the hearing at a time that is convenient
22 to all parties in order to provide that opportunity. Counsel shall confer with each other, and the
23 party requesting the rescheduling of the hearing shall identify the upcoming available dates on the
24 Court's calendar at which all counsel are available for the hearing.

25 **IT IS SO ORDERED.**

26 Dated: March 11, 2014

27 
28 JON S. TIGAR
United States District Judge

United States District Court
Northern District of California