

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

3 JOHN FALKENBERG, et al.,

4 Plaintiffs,

5 v.

6 ALERE HOME MONITORING, INC.,

7 Defendant.  
8

Case No. 13-cv-00341-JST

**ORDER VACATING HEARING**


Re: Dkt. Nos. 48, 50

9 Before the Court are Defendant's motions to dismiss and to strike. ECF Nos. 48 and 50.  
10 Pursuant to Federal Rule of Civil Procedure 78(b) and Civil Local Rule 7-1(b), the Court finds the  
11 matter suitable for disposition without oral argument. The hearing on this matter, currently  
12 scheduled for January 29, 2015, is hereby VACATED.

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

20 IT IS SO ORDERED.

21 Dated: January 20, 2015

22   
23 JON S. TIGAR  
24 United States District Judge