

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CARL T. EDWARDS,
Plaintiff,

No. C 07-4573 PJH

v.

ORDER VACATING HEARING DATE

AT&T DISABILITY INCOME PLAN,
Defendant.

On February 17, 2009, the clerk filed a notice continuing the date for the hearing on the parties' cross-motions for summary judgment from February 25, 2009, to March 18, 2009. Plaintiff's counsel, who was unaware of the continuance, appeared at the court on February 25, 2009. At that time, court staff advised her of the continuance, and she indicated that plaintiff might be amenable to submitting the matter to the court on the papers. On March 10, 2009, court staff contacted plaintiff's counsel, who indicated that she was willing to submit on the papers.

The court has reviewed the papers submitted in connection with the parties' cross-motions, and finds the motions appropriate for decision without oral argument. In addition, given the court's heavy calendar, and plaintiff's agreement to have the motions decided on the papers, the court finds that the March 18, 2009 hearing should be VACATED. The court will issue a written decision on the papers.

IT IS SO ORDERED.

Dated: March 10, 2009



PHYLLIS J. HAMILTON
United States District Judge

United States District Court
For the Northern District of California