

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
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

The New York City Employees' Retirement System, et al.,

NO. C 08-00246 JW

ORDER VACATING HEARING

Plaintiffs,


v.

Lisa C. Berry,

Defendant.

On February 9, 2009, the parties are scheduled to appear for a hearing on Defendant's Motion to Dismiss. (See Docket Item No. 42.) Upon review of the parties' briefs, the Court finds Defendant's Motion appropriate for submission without oral argument. See Civ. L.R. 7-1(b). Accordingly, the Court VACATES the February 9, 2009 hearing.

Dated: February 5, 2009



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

- 2 Barbara J. Hart bhart@lowey.com
- David C. Harrison dharrison@ldbs.com
- 3 James A. Meyers jmeyers@orrick.com
- James Neil Kramer jkramer@orrick.com
- 4 Joni L. Ostler jostler@wsgr.com
- Melinda Haag mhaag@orrick.com
- 5 Mozhgan Saniefar msaniefar@orrick.com
- Nancy E. Harris nharris@orrick.com
- 6 Rebecca Felice Lubens rlubens@orrick.com
- Richard W. Cohen rcohen@lowey.com
- 7 Robert C. Schubert rschubert@schubertlawfirm.com
- Willem F. Jonckheer wjonckheer@schubert-reed.com

9 **Dated: February 5, 2009**

Richard W. Wieking, Clerk

10
11 **By: /s/ JW Chambers**
Elizabeth Garcia
Courtroom Deputy

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28