

United States District Court
For the Northern District of California

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E-FILED on 10/22/08

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

RITA BALDWIN and JUSTIN CHOY,
Plaintiffs,
v.
JAMES TILTON,
MICHAEL JOSEPH CASTRO,
DEBBIE RIVES,
C. SCOTT HARRIS, JR., and
MATTHEW CATE,
Defendants.

No. C-08-03516 RMW

ORDER VACATING HEARING

Defendants' motion to dismiss presently set for hearing on October 31, 2008 is hereby submitted on the papers without oral argument. *See* Civil L.R. 7-1(b). The hearing date of October 31, 2008 is vacated. If, upon consideration of the matter, the court deems that oral argument is necessary or would be helpful to the court, the matter will be reset for hearing no earlier than December 5, 2008.

DATED: 10/22/08



RONALD M. WHYTE
United States District Judge

