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

Norlito Soriano,

NO. C 09-02415 JW

Plaintiff,

**ORDER VACATING CASE
MANAGEMENT CONFERENCE**

v.

Countrywide Homes Loans, Inc., et al.,

Defendants.

This case is scheduled for a Case Management Conference on October 19, 2009. Pursuant to the Federal Rules of Civil Procedure and Local Rules of this Court, the parties conferred and duly submitted a Joint Case Management Statement. (hereafter, "Statement," Docket Item No. 19.)

On September 16, 2009, the Court issued an Order Granting Motion to Dismiss with Leave to Amend. (See Docket Item No. 17.) On September 29, 2009, Plaintiff filed a Fourth Amended Complaint. (See Docket Item No. 18.) In the Statement, Defendants represent that they intend to file a Motion to Dismiss Plaintiff's Fourth Amended Complaint. (Statement at 2.) Since Defendants' anticipated Motion may be dispositive, the Court finds that a Case Management Conference would be premature at this time.

Accordingly, the Court VACATES the Case Management Conference. In its Order addressing the anticipated Motion to Dismiss, the Court will set a new Case Management Conference date, if necessary.

Dated: October 15, 2009



JAMES WARE
United States District Judge

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

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Dated: October 15, 2009

Richard W. Wieking, Clerk

By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy