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

Bernabe Mora,

NO. C 10-01147 JW

Plaintiff,

**ORDER VACATING CASE
MANAGEMENT CONFERENCE**

v.

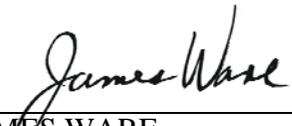
Timothy Brennan, M.D., et al.,

Defendants.

This case is scheduled for a Case Management Conference on June 28, 2010. Pursuant to the Federal Rules of Civil Procedure and Local Rules of this Court, the parties have duly submitted their Case Management Statements.¹ (See Docket Item Nos. 20, 21.)

Defendants have filed a Motion to Dismiss currently set for hearing on October 18, 2010. (See Docket Item Nos. 5, 15.) In light of Defendants' pending dispositive Motion, the Court finds that a Case Management Conference would be premature at this time. Accordingly, the Court VACATES the June 28 Case Management Conference. The Court will set a new Case Management Conference in its order addressing Defendants' Motion, if necessary.

Dated: June 24, 2010



JAMES WARE
United States District Judge

¹ The Court notes that Plaintiff's Statement was filed on June 23, 2010 which is untimely pursuant to the Court's May 19, 2010 Order. (See Docket Item No. 17.)

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

2 James A. Scharf james.scharf@usdoj.gov

3 Bernabe Mora
247 Shasta Street
4 Watsonville, CA 95016

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6 **Dated: June 24, 2010**

Richard W. Wieking, Clerk

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By: /s/ JW Chambers
Elizabeth Garcia
Courtroom Deputy

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