

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

RICHARD SUTHERLAND, as Assignee of )	Case No.: 12-CV-05110-LHK
NIGEL ALLEN; RICHARD SUTHERLAND as )	
assignee of FRED PILSTER; RICHARD )	ORDER VACATING HEARING
SUTHERLAND, as assignee of SAL RUIZ; )	
RICHARD SUTHERLAND, as assignee of )	
JUDITH LAVENDAR and ANTHONY )	
MALFATTI, Individually, )	
)	
Plaintiffs, )	
v. )	
)	
THOMAS E. FRANCIS, )	
)	
Defendant. )	
)	

Pursuant to Civil Local Rule 7-1(b), the Court finds Defendant's Motion to Dismiss appropriate for resolution without oral argument. Accordingly, the hearing on this motion scheduled for February 13, 2014, at 1:30 p.m. is hereby VACATED. The Court will issue an order on the motion shortly.

**IT IS SO ORDERED.**

Dated: February 12, 2014

  
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 LUCY H. KOH  
 United States District Judge