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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

SAM BEDWELL, et al.,	)	Case No. 07-CV-0065-WQH (JMA)
	)	
Plaintiffs,	)	<b>ORDER (1) VACATING HEARING ON</b>
	)	<b>DEFENDANTS' MOTION FOR</b>
v.	)	<b>SANCTIONS AND (2) VACATING</b>
	)	<b>ORDER REQUIRING PLAINTIFF TO</b>
FISH & RICHARDSON P.C., etc.,	)	<b>APPEAR FOR DEPOSITION ON</b>
et al.,	)	<b>JANUARY 27, 2009</b>
	)	
Defendants.	)	
	)	
	)	

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**IT IS HEREBY ORDERED:**

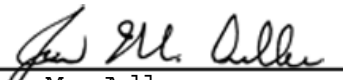
1. The hearing on Defendants' motion for sanctions scheduled for January 27, 2009 at 9:00 a.m. is vacated. Pursuant to Civil Local Rule 7.1 d.1, the Court finds the motion suitable for determination on the papers and without oral argument. Accordingly, no appearances are required on January 27, 2009, and the motion will be deemed submitted as of that date. While the Court will issue a separate order setting forth its ruling on Defendants' motion for sanctions, the Court hereby finds that the motion is not mooted by the pendency of Plaintiff Suzanne Moreno's motion for voluntary dismissal of action without

1 prejudice.

2       2. In view of Plaintiff Moreno's motion for voluntary  
3 dismissal of action without prejudice, calendared for February  
4 17, 2009 before the Honorable William Q. Hayes, the Court vacates  
5 the portion of its January 6, 2009 Order requiring Plaintiff  
6 Moreno to appear for her deposition in San Diego on January 27,  
7 2009. In the event the action is not dismissed, the Court will  
8 reset the date for the taking of Ms. Moreno's deposition.

9           **IT IS SO ORDERED.**

10 DATED: January 22, 2009

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12 Jan M. Adler  
U.S. Magistrate Judge

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