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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

SHAPC, LLC, d/b/a Serenity Hospice & Palliative Care, an Arizona limited liability company,

Plaintiff,

vs.

Kenneth Pettit, DO and Vanessa Pettit, husband and wife; et al.,

Defendants.

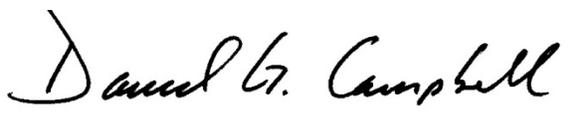
No. CV-11-1333-PHX-DGC

ORDER

On July 12, 2011, Defendants filed a motion to dismiss the complaint for lack of capacity to sue and failure to join an indispensable party. Doc. 9. Pursuant to a stipulation (Doc. 12), Plaintiff has filed an amended complaint (Doc. 15) which renders moot the motion to dismiss.

IT IS THEREFORE ORDERED that the motion to dismiss (Doc. 9) is **denied** as moot.

Dated this 9th day of August, 2011.



David G. Campbell
United States District Judge