

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 15-4230-GW (FFM) Date July 14, 2015

Title *Lasica v. America Online, Inc.*

Present: The Honorable GEORGE H. WU, UNITED STATES DISTRICT JUDGE

Javier Gonzalez None Present
Deputy Clerk Court Reporter / Recorder Tape No.

Attorneys Present for Plaintiffs: Attorneys Present for Defendants:

None Present None Present

PROCEEDINGS (IN CHAMBERS): ORDER VACATING DEFENDANT'S MOTION TO DISMISS

On June 29, 2015, Defendant America Online, Inc. ("Defendant") moved to dismiss the operative pleading in this action pursuant to Federal Rule of Civil Procedure 12(b)(1), (5), and (6). *See generally* Mot. to Dismiss, Docket No. 13. Plaintiff Joseph Daniel Lasica ("Plaintiff") filed a First Amended Complaint ("FAC") on July 14, 2015, within twenty-one days after the service of Defendant's Motion to Dismiss. *See generally* FAC, Docket No. 20; *see also* Fed. R. Civ. P. 15 ("A party may amend its pleading once as a matter of course within . . . 21 days after service of a motion under Rule 12(b)."). In light of Plaintiff's FAC, the Court finds that Defendant's Motion to Dismiss is MOOT. The motion hearing on July 27, 2015 is hereby vacated and taken off calendar.

Initials of Preparer JG