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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TIMOTHY S. DAUBERT,)	1:09-cv-1463 GSA
)	
)	
Plaintiff,)	ORDER REGARDING DEFENDANT'S
)	MOTION FOR JUDGMENT ON THE
)	PLEADINGS
v.)	
)	
LINDSAY UNIFIED SCHOOL DISTRICT,)	(Doc. 24)
)	
)	
Defendant.)	

On October 9, 2009, Timothy Daubert, appearing pro se, filed a first amended complaint. (Doc. 6). On May 20, 2010, Defendant, Lindsay Unified School District filed a Motion for Judgment on the Pleadings. (Doc. 24). The ruling on the motion was stayed pending settlement negotiations. Since the filing of the motion, Plaintiff obtained an attorney who filed a second amended complaint on February 23, 2011. (Doc. 48). The filing of the second amended complaint moots the pending Motion for Judgment on the Pleadings. Accordingly, Defendant's Motion for Judgment on the Pleadings is denied as moot. The parties shall comply with the

1 schedule set forth in the minute order issued on February 9, 2011, with regard to filing an answer
2 to the second amended complaint, or in the alternative, a motion to dismiss. (Doc. 47).

3
4 IT IS SO ORDERED.

5 **Dated: February 25, 2011**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE