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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

HOPSCOTCH ADOPTIONS, et al.,

CASE NO. 1:09-cv-2101-MJS

Plaintiffs,

ORDER DENYING DEFENDANT'S MOTION  
FOR JUDGMENT ON THE PLEADINGS

v.

(ECF No. 117)

VANESSA KACHADURIAN,

Defendant.

\_\_\_\_\_ /

This matter is before the Court on Defendant's motion for judgment on the pleadings. However the pleading which is the subject of Defendant's motion has been replaced by an amended pleading.

On May 16, 2011, this Court entered its Order Granting Plaintiff's Motion to file First Amended Complaint. (ECF No. 124.) The pleading, i.e., the Complaint, on which judgment for Defendant is here sought has been superseded by a First Amended Complaint. The pending motion for judgment therefor has been rendered moot and must be denied on that ground.

Defendant may file a similar motion with regard to the First Amended Complaint if and as appropriate.

Accordingly, Defendant's motion for judgment on the pleading shall be and hereby

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1 is DENIED without prejudice.

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3 IT IS SO ORDERED.

4 Dated: May 23, 2011

*/s/ Michael J. Seng*  
UNITED STATES MAGISTRATE JUDGE

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