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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

SUZANNE CRAMER,  
  
Plaintiff,  
  
vs.

CASE NO. CV F 11-0502 LJO SMS

**ORDER TO VACATE HEARING AND TO  
TERM MOTION**  
(Doc. 21.)

CALIFORNIA DEPARTMENT OF  
FORESTRY AND FIRE  
PROTECTION, et al.,  
  
Defendants.

On December 6, 2011, defendants California Department of Forestry and Fire Protection and James Forga (“moving defendants”) filed their F.R.Civ.P. 12 motion to dismiss plaintiff’s original complaint and set a January 10, 2012 hearing. On December 27, 2011, plaintiff filed her first amended complaint as a matter of course under F.R.Civ.P. 15(a)(1). As such, this Court:

1. VACATES the January 10, 2012 hearing in that the first amended complaint renders moot the F.R.Civ.P. 12 motion to dismiss the original complaint;
2. DIRECTS the clerk to term the F.R.Civ.P. 12 motion to dismiss the original complaint (doc. 21); and
3. ORDERS the moving defendants, no later than January 19, 2012, to file papers to respond to the first amended complaint.

This Court will take no further action on the F.R.Civ.P. 12 motion to dismiss the original complaint

1 (doc. 21).

2 IT IS SO ORDERED.

3 **Dated: December 27, 2011**

**/s/ Lawrence J. O'Neill**  
UNITED STATES DISTRICT JUDGE

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