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

NATALIE GALLARDO,
Plaintiff,
vs.

CASE NO. 1:12-cv-1612 GSA
**ORDER DENYING MOTION TO
DISMISS AS MOOT**

HANFORD JOINT UNIFIED SCHOOL
DISTRICT, et al.,
Defendant.

(Docs. 10-12)

On February 27, 2012, Defendants Hanford Joint Unified School District, Cheryl Hunt, Mark Dutra and Andrew Maza (collectively, "Defendants") filed a Fed. R. Civ. P. 12(b)(6) Motion to Dismiss. A hearing was set for April 4, 2013 before Judge Lawrence O'Neill. (Docs. 10-12). After the filing of the motion, the parties consented to Magistrate Judge jurisdiction. (Docs. 14, 15, 17, 18). Due to the reassignment, this Court vacated the April 4, 2013 hearing. (Doc. 26). On March 27, 2013, Plaintiff filed a first amended complaint as directed by this Court. As such, this Court:

1. Denies Defendant's Motion to Dismiss filed on February 27, 2012 as moot; and

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2. DIRECTS the clerk to term the motion to dismiss listed above;

The Court notes that Defendants have filed another Motion to Dismiss on April 17, 2013 (Doc. 27). This hearing on this Motion to Dismiss is scheduled for May 24, 2013 and will proceed as scheduled.

IT IS SO ORDERED.

Dated: April 30, 2013

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE