

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF CALIFORNIA
7

8 E.S., et al.,

CASE NO. CV F 13-1697 LJO BAM

9 Plaintiffs,

ORDER TO VACATE HEARING

10 vs.

(Doc. 13)

11 COUNTY OF TULARE, et al.,

12 Defendants.
13 _____/

14
15 On December 9, 2013, defendant City of Visalia ("City") filed its F.R.Civ.P. 12(b)(6)
16 motion to dismiss plaintiffs' original complaint and set a January 22, 2014 hearing. On
17 December 27, 2013, plaintiffs filed their first amended complaint ("FAC"), pursuant to the
18 parties' stipulation.

19 On the basis of good cause, this Court:

- 20 1. VACATES the January 22, 2014 hearing on the City's motion to dismiss in that the
21 FAC renders moot the motion to dismiss plaintiffs' original complaint; and
22 2. DIRECTS the clerk to term the motion to dismiss the original complaint (doc. 13).

23 This Court will take no further action on the motion to dismiss the original complaint
24 (doc. 13).

25
26 IT IS SO ORDERED.

27 Dated: December 30, 2013

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