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

**TRAVELERS PROPERTY CASUALTY
COMPANY OF AMERICA, et al.,**

Plaintiffs,

v.

CENTEX HOMES, et al.,

Defendants.

CASE NO. 1:14-cv-992-LJO-BAM

**ORDER TO VACATE HEARING WITH
FILING OF AMENDED COMPLAINT
(Doc. 15)**

11 On July 17, 2014, Defendants filed a motion to dismiss Plaintiffs' original complaint under
12 Fed. R. Civ. P. 12(b)(6) and set an August 14, 2014 hearing. On August 6, 2014, Plaintiffs filed their
13 first amended complaint as a matter of course under Fed. R. Civ. P. 15(a)(1). As such, this Court:

14 1. VACATES the August 14, 2014 hearing in that the first amended complaint renders
15 moot the Fed. R. Civ. P. 12(b)(6) motion to dismiss the original complaint;

16 2. DIRECTS the clerk to terminate the Fed. R. Civ. P. 12(b)(6) motion to dismiss the
17 original complaint (Doc. 8); and

18 3. ORDERS Defendants, no later than August 28, 2014, to file and serve papers to respond
19 to the first amended complaint.

20 This Court will take no further action on the Fed. R. Civ. P. 12(b)(6) motion to dismiss the
21 original complaint (Doc. 8).

22 IT IS SO ORDERED.

23 Dated: August 7, 2014

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