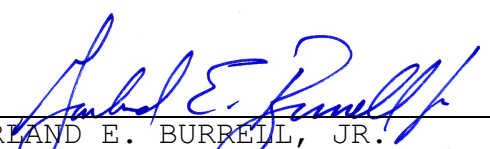


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHERRI A. KEMP, )  
 )  
Plaintiff, ) 2:09-cv-01661-GEB-DAD  
 )  
v. ) ORDER\*  
 )  
AMERICAN HOME MORTGAGE SERVICING, )  
INC., OPTION ONE MORTGAGE )  
CORPORATION, H&R BLOCK MORTGAGE )  
CORPORATION, HOWARD RUDOLPH, KATHI )  
ALDRIDGE, )  
 )  
Defendants. )  
\_\_\_\_\_ )

On August 28, 2009, Plaintiff filed a First Amended Complaint (Docket No. 13), which moots the pending motion to dismiss that Defendant American Home Mortgage Servicing, Inc. filed on August 7, 2009 (Docket No. 10). See Hal Roach Studios, Inc. v. Richard Feiner and Co. 896 F.2d 1542, 1546 (9th Cir. 1989) (stating an amended complaint supersedes the prior complaint). Since the pending motion to dismiss is moot, it is denied.

Dated: September 1, 2009

  
\_\_\_\_\_  
GARLAND E. BURRELL, JR.  
United States District Judge

\* This matter was determined to be suitable for decision without oral argument. E.D. Cal. R. 78-230(h).

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