

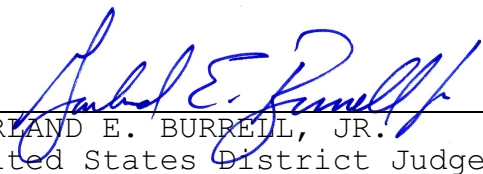
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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ERNEST ALTMANN,)	
)	
Plaintiff,)	2:09-cv-02361-GEB-GGH
)	
v.)	<u>ORDER DISMISSING MOTIONS TO</u>
)	<u>DISMISS AS MOOT</u>
INDYMAC FEDERAL BANK, et al.,)	
)	
Defendants.)	
_____)	

On September 21, 2009, Defendants Mortgage Electronic Registration Systems, Inc. and Green Tree Servicing, LLC each filed a motion to dismiss Plaintiff's complaint. (Docket Nos. 8, 10.) On October 23, 2009, however, Plaintiff filed a First Amended Complaint, which is now the operative pleading. See Hal Roach Studios, Inc. v. Richard Feiner and Co., 896 F.2d 1542, 1546 (9th Cir. 1989) (stating an amended complaint supercedes the prior complaint). Since the pending motions do not address the operative pleading, they are denied as moot.

Dated: October 27, 2009



 GARLAND E. BURRELL, JR.
 United States District Judge