


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

LARRY HITE and ELIZABETH HITE,)	
)	
Plaintiffs,)	2:09-cv-02884-GEB-GGH
)	
v.)	<u>ORDER DENYING MOTIONS</u>
)	<u>AS MOOT*</u>
WACHOVIA MORTGAGE, JEFFREY ALAN)	
PELLETIER, PAMELA K. SUMMERS,)	
WORLD SAVINGS BANK FSB, PELLETIER)	
FINANCIAL;)	
)	
Defendants.)	

On November 9, 2009, Defendant Jeffrey Alan Pelletier filed a motion to dismiss Plaintiffs' complaint and on November 11, 2009, Defendant Wachovia Mortgage filed motions to dismiss and strike Plaintiffs' complaint. (Docket Nos. 8, 9, 11.) On December 4, 2009, however, Plaintiffs 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). Therefore, the motions filed on November 9 and November 11, 2009 are denied as moot.

Dated: December 15, 2009



 GARLAND E. BURRELL, JR.
 United States District Judge

* This matter is deemed suitable for decision without oral argument. E.D. Cal. R. 230(h).