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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL LOURIM,

NO. CIV. S-09-3131 LKK/KJM

Plaintiff,

v.

WASHINGTON MUTUAL BANK,
F.A., GEORGE SANDERS; and
DOES 1-20, inclusive,

O R D E R

Defendants.

_____ /

Pending before the court is a motion to dismiss filed by
defendants Washington Mutual Bank, F.A. and George E. Sanders.
(Doc. No. 7) Rather than oppose this motion, plaintiff has filed
an amended complaint. (Doc. No. 12) Although some of the
arguments raised in the motion to dismiss the initial complaint may
also apply to the amended complaint, the court declines to address
this issue without briefing directly on point from the parties.

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1 The pending motion to dismiss is therefore DENIED WITHOUT PREJUDICE
2 as moot.

3 IT IS SO ORDERED.

4 DATED: December 11, 2009.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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