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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PATRICIA TONI KOEPESELL,
an individual,

NO. CIV. S-11-1772 LKK/DAD

Plaintiff,

v.

O R D E R

USAA aka UNITED SERVICES
AUTOMOBILE ASSOCIATION, a
form of business unknown and
USAA FEDERAL SAVINGS BANK,
a form of business unknown,

Defendants.

_____ /

Defendants United Service Automobile Association's ("USAA") and
USAA Federal Savings Bank have moved to dismiss USAA from the above
captioned case and to dismiss several of plaintiff's claims against
USAA Federal Savings Bank for failure to state a claim. On August
15, 2011, plaintiff filed an opposition to the motion in which she
expressed her intention to file an amended complaint by August 22,
2011. Upon receipt of plaintiff's opposition, the court vacated the
hearing on the motion and ordered plaintiff to file her amended

1 complaint by August 22, 2011. Plaintiff timely filed her amended
2 complaint

3 For the foregoing reasons, the court DENIES defendant's motion
4 to dismiss (Doc. No. 9) without prejudice, as moot.

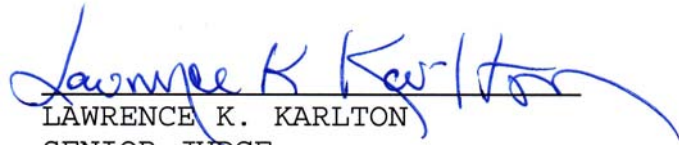
5 IT IS SO ORDERED.

6 DATED: August 24, 2011.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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