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Accordingly, IT IS HEREBY ORDERED that:

1. This action will proceed on plaintiff's first amended complaint, ECF No. 15.

2. Defendants' motion to dismiss, ECF Nos. 13, is denied as moot and the May 27, 2015 hearing thereon is vacated.

3. Defendants shall file a response to plaintiff's amended complaint within the time prescribed in the Federal Rules of Civil Procedure.

DATED: May 7, 2015.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE