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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT E. HALL and JANET W.  
HALL,

Plaintiffs,

v.

THE BANK OF NEW YORK MELLON  
FKA THE BANK OF NEW YORK AS  
TRUSTEE FOR CWALT, INC.,  
ALTERNATIVE LOAN TRUST 2006-  
7CB, MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2006-7B;  
CWALT, INC., ALTERNATIVE LOAN  
TRUST 2006-7CB, MORTGAGE PASS  
THROUGH CERTIFICATES, SERIES  
ROES 1-10 AND DOES 1 - 10, inclusive,  
representing a class of unknown persons  
who claim or have the right to claim an  
interest in certain real property located in  
Sacramento, California,

Defendants.

No. 2:16-cv-2828 GEB DB PS

ORDER

Plaintiffs are proceeding in this action pro se. This matter was, therefore, referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1).

On January 20, 2017, defendant filed a motion to dismiss plaintiff's original complaint. (ECF No. 5.) That motion is noticed for hearing before the undersigned on February 17, 2017.

1 However, on February 10, 2017, plaintiffs filed a first amended complaint. (ECF No. 11.)


2 Accordingly, IT IS HEREBY ORDERED that:

3 1. Defendant's January 20, 2017 motion to dismiss the original complaint (ECF No. 5) is  
4 denied without prejudice as having been rendered moot;

5 2. The February 17, 2017 hearing of defendant's motion to dismiss is vacated; and

6 3. Within twenty-one (21) days of the date of this order defendant shall file a response to  
7 plaintiffs' amended complaint.

8 Dated: February 13, 2017

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11 DEBORAH BARNES  
12 UNITED STATES MAGISTRATE JUDGE  
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