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

KANDY KYRIACOU and OJOMA OMAGA,

No. C 08-4630 SI

Plaintiffs,

**ORDER DENYING DEFENDANTS'
MOTION TO DISMISS AS MOOT**

v.


PERALTA COMMUNITY COLLEGE
DISTRICT, *et al.*,

Defendants.

In a brief filed December 2, defendants stipulate that their motion to dismiss plaintiffs' complaint is moot in light of plaintiffs' first amended complaint. [Docket No. 13] Accordingly, defendants' motion to dismiss is DISMISSED AS MOOT. The January 16 hearing on defendants' motion is VACATED.

IT IS SO ORDERED.

Dated: January 13, 2009



SUSAN ILLSTON
United States District Judge

United States District Court
For the Northern District of California