

United States District Court
For the Northern District of California

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

CHARLES WOZNIAK, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

ALIGN TECHNOLOGY, INC., et al.,

Defendants.

No. C 09-3671 MMC

**ORDER VACATING JANUARY 13, 2012
HEARING ON DEFENDANTS' MOTION
TO DISMISS PLAINTIFF'S SECOND
AMENDED COMPLAINT**

Before the Court is defendants Align Technology, Inc. ("Align") and Thomas Prescott's motion, filed on September 7, 2011, to dismiss plaintiff's Second Amended Complaint. Lead plaintiff Plumbers and Pipefitters National Pension Fund, individually and on behalf of all others similarly situated, has filed opposition, to which defendants have replied. Having read and considered the papers filed in support of and in opposition to the motion, the Court deems the matter suitable for decision thereon, and VACATES the hearing scheduled for January 13, 2012.

IT IS SO ORDERED.

Dated: January 10, 2012


MAXINE M. CHESNEY
United States District Judge