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****E-filed 2/4/11****

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GREGORY A. GREER

No. C 10-3601 RS

Plaintiff,

v.

**ORDER RE MOTION FOR LEAVE
TO SUPPLEMENT RECORD**

ELECTRONIC ARTS, INC.,

Defendant.

Plaintiff's motion for leave to supplement the record (Docket No. 30) is denied as moot. As reflected in the order granting defendant's motion to dismiss, evidence relating to conduct or statements of defendant that is not alleged in the complaint is not relevant to deciding whether the existing pleading states a claim. Plaintiff may, of course, incorporate such material in any amended complaint. Whether it will be sufficient to state a claim remains to be decided.

IT IS SO ORDERED.

Dated: 2/4/11



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE