

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

WILLIAM KENNEDY,  
Plaintiff,  
v.  
WELLS FARGO BANK, N.A.; et al.,  
Defendants.

No. C-11-0675 MMC

**ORDER VACATING OCTOBER 14, 2011  
HEARING ON DEFENDANT WELLS  
FARGO'S MOTION TO DISMISS AND  
MOTION TO STRIKE**

Before the Court is the motion of defendant Wachovia Mortgage, "a division of Wells Fargo Bank, N.A., f/k/a Wachovia Mortgage, FSB, f/k/a World Savings Bank, FSB" ("Wells Fargo") (see Mot. at 1:23-24), filed September 9, 2011, to dismiss plaintiff William Kennedy's ("Kennedy") Second Amended Complaint ("SAC"); Kennedy has filed opposition thereto, to which Wells Fargo has replied. Also before the Court is Wells Fargo's motion, likewise filed September 9, 2011, to strike portions of the SAC; Kennedy has filed a separate opposition thereto, to which Wells Fargo has separately replied. Having read and considered the papers filed in support of and in opposition to the motions, the Court deems the matters suitable for decision thereon, and hereby VACATES the hearing scheduled for October 14, 2011.

**IT IS SO ORDERED.**

Dated: October 12, 2010

  
MAXINE M. CHESNEY  
United States District Judge