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

LEONARD J. GIANNINI,  
  
Plaintiff,  
  
v.  
  
AMERICAN HOME MORTGAGE  
SERVICING, INC. AND DOES 1-10,  
inclusive,  
  
Defendants.

NO. C11-04489 TEH  
  
ORDER VACATING HEARING  
AND DENYING SANCTIONS

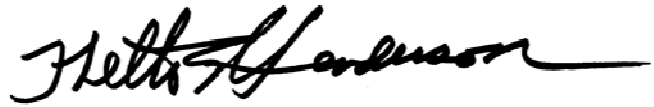
On October 3, 2011, Defendant American Home Mortgage Servicing (AMHS) filed a motion to dismiss the complaint, or, in the alternative, for a more definite statement, as well as a request for judicial notice of documents in support of the motion. On October 17, 2011, AMHS filed a further motion for monetary sanctions against Plaintiff’s counsel, Joel M. Feinstein, in the amount of \$10,898.50. All motions were to be heard on November 14, 2011.

On October 17, Plaintiff Leonard Giannini filed a First Amended Complaint. In light of the filing of an amended complaint, the pending motions to dismiss and for a more definite statement and the accompanying request for judicial notice are DENIED AS MOOT, though the Defendants may, of course, file renewed motions regarding the amended complaint. The November 14 hearing date is VACATED.

The motion for monetary sanctions in the amount of \$10,898.50 is DENIED. Accordingly, the hearing date of December 5th, 2011, for that motion is VACATED.

**IT IS SO ORDERED.**

Dated: 10/24/2011

  
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THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT

United States District Court  
For the Northern District of California