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

United States District Court  
Northern District of California

JAMES LAGARDE,  
  
Plaintiff,  
  
v.  
  
SUPPORT.COM, INC.,  
  
Defendant.

Case No.: 12-0609 (JSC)  
  
**ORDER GRANTING DEFENDANT'S  
MOTION TO DISMISS PLAINTIFF'S  
ORIGINAL COMPLAINT (Dkt. No. 20)**

The Court is in receipt of Plaintiff's Statement of Non-Opposition (Dkt. No. 22) to Defendant's Motion to Dismiss Plaintiff's original complaint (Dkt. Nos. 20). Defendant's motion is therefore GRANTED without prejudice, and the May 17, 2012 hearing is vacated. Plaintiff already filed an amended complaint on April 27, 2012 pursuant to Federal Rule of Civil Procedure 15(a)(1)(B). (Dkt. No. 23.) Any response shall be filed by Defendant on or before May 23, 2012, unless the parties agree otherwise.

**IT IS SO ORDERED.**

Dated: May 9, 2012

  
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JACQUELINE SCOTT CORLEY  
UNITED STATES MAGISTRATE JUDGE