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United States District Court
For the Northern District of California

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

CENTER FOR BIOLOGICAL DIVERSITY,
et al.,

Plaintiff,

v.

FEDERAL HIGHWAY ADMINISTRATION,
et al.,

Defendants.

No. C 12-02172 JSW

**ORDER DENYING AS MOOT
MOTION TO DISMISS IN LIGHT
OF AMENDED COMPLAINT**

On June 25, 2012, Plaintiffs filed an Amended Complaint, exercising their right to amend as a matter of course under Federal Rule Civil Procedure 15(a)(1)(B). In light of that filing, the Court DENIES AS MOOT the pending motion to dismiss, and the Court VACATES the hearing scheduled for July 27, 2012. (Docket No. 23.) This ruling is without prejudice to Defendants raising any arguments raised in that motion in a motion to dismiss the Amended Complaint. Defendants shall answer or otherwise respond to the Amended Complaint within the time permitted under Rule 15(a)(3).

IT IS SO ORDERED.

Dated: June 26, 2012



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE