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3 IN THE UNITED STATES DISTRICT COURT  
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
5

6 MARY MILLER,

No. C 12-03481 SI

7 Plaintiff,

**ORDER SETTING HEARING**

8 v.

9 WHOLESALE AMERICA MORTGAGE, INC.,  
10 et al.,

11 Defendants.

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12 Currently pending are defendants' motion to dismiss the First Amended Complaint and  
13 plaintiff's motion to remand. In opposing defendants' motion, plaintiff asked for leave to file a Second  
14 Amended Complaint. The Court finds that the Second Amended Complaint should be filed and  
15 defendants' motions to dismiss the first and amended complaints (Docket Nos. 5 & 19) are denied as  
16 moot.

17 Defendants shall file a motion to dismiss directed to plaintiff's Second Amended Complaint on  
18 or before **January 11, 2013**. That motion to dismiss and plaintiff's motion to remand (Docket No. 14)  
19 will be heard on **February 22, 2013 at 9:00 a.m.** Plaintiff's opposition to the motion to dismiss, as  
20 well as defendants' response to plaintiff's motion to remand, shall be filed on or before **February 1,**  
21 **2013**. Defendants' reply in support of the motion to dismiss and plaintiff's reply in support of her  
22 motion to remand shall be filed on or before **February 8, 2013**.

23 **The Case Management Conference currently scheduled for December 14, 2012 is continued**  
24 **until Friday, February 22, 2013 at 3:00 p.m.**

25 **IT IS SO ORDERED.**

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27 Dated: December 10, 2012



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SUSAN ILLSTON  
United States District Judge