

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

CATCH A WAVE TECHNOLOGIES,
INC.,

No. C 12-05791 WHA

Plaintiff,

v.

**ORDER DENYING MOTION
TO DISMISS AND VACATING
HEARING**

SIRIUS XM RADIO INC.,

Defendant.

Because plaintiff has filed an amended complaint, defendant's pending motion to dismiss is **DENIED AS MOOT**. The hearing on February 14 hearing is **VACATED**.

IT IS SO ORDERED.

Dated: January 28, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE