

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

EMILY SMITH, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

LUX RETAIL NORTH AMERICA, INC.,
and DOES 1 through 50 inclusive,

Defendants.


No. C 13-01579 WHA

**ORDER DENYING
MOTION TO STRIKE
AFFIRMATIVE DEFENSES**

Plaintiff filed a motion to strike affirmative defenses (Dkt. No. 20). In response, defendant filed an amended answer. Accordingly, plaintiff's motion to strike affirmative defenses is **DENIED AS MOOT**. The June 13 hearing date will remain on calendar to address the issue of subject matter jurisdiction.

IT IS SO ORDERED.

Dated: May 22, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE