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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LENETTE POOR, et al.,  
Plaintiffs,  
v.  
THE PASQUAN LIMITED  
PARTNERSHIP, LLP, et al.,  
Defendants.

Case No. 14-cv-04264-JST

**ORDER GRANTING LEAVE TO FILE  
SECOND AMENDED COMPLAINT,  
TERMINATING MOTION TO DISMISS,  
AND VACATING MOTION HEARING**

Re: ECF No. 4

United States District Court  
Northern District of California

Before the Court is Defendants’ Motion to Dismiss Pursuant to Rule 12(b)(6). ECF No. 4. In their Opposition to the Motion, Plaintiffs maintain that their First Amended Complaint is adequately pleaded, but also request leave to file a Second Amended Complaint. ECF No. 10, at 3. Defendants ask that the Court grant Plaintiffs leave to file their proposed Second Amended Complaint in the interests of judicial economy, ECF No. 11-1, so that Defendants would then withdraw their Motion to Dismiss as moot. ECF No. 13, at 1. Defendants request twenty-one days from service of the Second Amended Complaint to file a responsive pleading. Id.

The Court construes the parties’ statements as a stipulation to the filing of Plaintiffs’ proposed Second Amended Complaint. Accordingly, the Court GRANTS Plaintiffs leave to file their proposed Second Amended Complaint; TERMINATES Defendants’ Motion to Dismiss; and VACATES the hearing currently scheduled for October 30, 2014. Plaintiffs are ordered to file the proposed Second Amended Complaint on the Court’s docket by October 29, 2014. Defendants

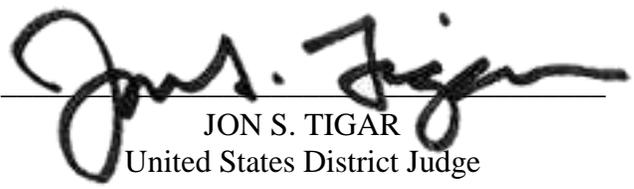
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shall file any responsive pleading within twenty-one days after service of the Second Amended Complaint.

**IT IS SO ORDERED.**

Dated: October 22, 2014



JON S. TIGAR  
United States District Judge