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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

JOHN MUIR HEALTH, a California non-profit public benefit corporation,

No. C 15-05730 WHA

Plaintiff,

v.

USABLE MUTUAL INSURANCE COMPANY, d/b/a BlueAdvantage Administrators of Arkansas, an Arkansas non-profit mutual benefit corporation, WAL-MART STORES INC. ASSOCIATES' HEALTH AND WELFARE PLAN, and DOES 1 through 24, inclusive,

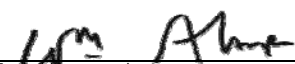
ORDER DENYING DEFENDANT'S MOTION TO DISMISS AS MOOT AND REQUESTING RESPONSE FROM PLAINTIFF

Defendants.

On January 20, defendant USABLE Mutual Insurance Company, d/b/a BlueAdvantage Administrators of Arkansas filed a motion to dismiss. In lieu of a response, plaintiff filed an amended complaint. BlueAdvantage has informed the Court that its motion should be denied as moot and requests that its deadline to respond to the amended complaint be extended to the same deadline for defendant Wal-Mart Stores, Inc. Associates' Health and Welfare Plan, which has not yet been served. BlueAdvantage's motion to dismiss is hereby **DENIED AS MOOT**. By **FEBRUARY 11 AT NOON**, plaintiff shall please inform the Court whether it opposes BlueAdvantage's request to extend the deadline to respond to the amended complaint.

IT IS SO ORDERED.

Dated: February 9, 2016.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE