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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KIN WAH KUNG,

No. C 16-03814 WHA

Plaintiff,

v.

**ORDER DENYING MOTION TO
DISMISS WITHOUT PREJUDICE**

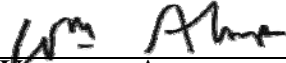
CITIBANK, NATIONAL ASSOCIATION,

Defendant.

In lieu of a response to defendant’s pending motion to dismiss, plaintiff filed an amended complaint. The Court asked defendant to state whether the motion to dismiss should be denied as moot without prejudice to a renewed motion directed at the amended pleading or if it would prefer to continue with the present motion and address the amendments in the reply. Defendant has submitted a statement that “the currently pending motion to dismiss (Doc. No. 10) should be denied as moot without prejudice” (Dkt. 14). As such, the motion to dismiss is **DENIED AS MOOT WITHOUT PREJUDICE** to a renewed motion directed at the amended complaint.

IT IS SO ORDERED.

Dated: August 5, 2016.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE