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

BREANA DAUGHERTY,

Plaintiff,

No. C 16-05155 WHA

v.

SOLAR CITY CORP,

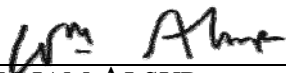
Defendant.

**ORDER DENYING MOTION  
TO DISMISS AS MOOT**

Defendant moved to dismiss for lack of jurisdiction (Dkt. No. 16). While the motion remained pending, plaintiff filed an amended complaint (Dkt. No. 20). Defendant asked to withdraw its motion to dismiss without prejudice to a new motion directed at the pleadings or a motion to compel arbitration (Dkt. No. 26). Defendant's motion to dismiss is **DENIED AS MOOT** without prejudice to a new motion.

**IT IS SO ORDERED.**

Dated: December 7, 2016.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE