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

VICTOR MUNIZ, et al.,
Plaintiffs,
v.
WELLS FARGO & COMPANY, et al.,
Defendants.

Case No. [17-cv-04995-MMC](#)

**ORDER DENYING AS MOOT
DEFENDANTS' MOTIONS TO DISMISS
AND TO STRIKE**

Re: Dkt. Nos. 37, 38

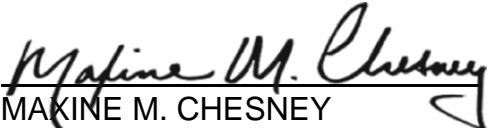
Before the Court are the following two motions, both filed October 30, 2017: (1) defendants Wells Fargo & Company, Wells Fargo Bank, N.A., and Wells Fargo Home Mortgage's (collectively, "Wells Fargo") "Motion to Dismiss Class Action Complaint"; and (2) Wells Fargo's "Motion to Strike Plaintiff's Class Definition and Tolling Allegations."

By order filed November 30, 2017, the Court granted the parties' stipulation to extend to December 18, 2017, the deadline for plaintiff Victor Muniz ("Muniz") to respond to the above-referenced motions by filing an amended complaint and thereby "render [the motions] moot." (See Stipulated Order, filed November 30, 2017, at 3:15-22.) On December 18, 2017, Muniz filed his "First Amended Complaint."

Accordingly, Wells Fargo's motions to dismiss and to strike are hereby DENIED as moot.

IT IS SO ORDERED.

Dated: December 20, 2017


MAKINE M. CHESNEY
United States District Judge