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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RALPH FALLANT,
Plaintiff,
v.
GENERAL MOTORS LLC,
Defendant.

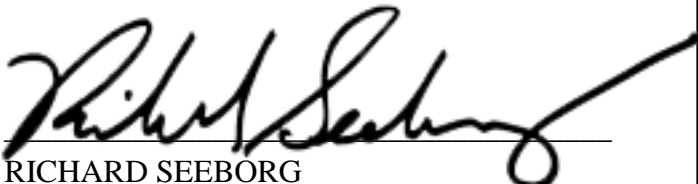
Case No. [23-cv-06709-RS](#)

**ORDER GRANTING MOTION TO
DISMISS, WITH LEAVE TO AMEND**

Defendant seeks dismissal of the operative complaint’s fourth and fifth claims for relief. In response, plaintiff does not defend the current pleading, but requests leave to amend, arguing he can allege facts sufficient to state a claim under the challenged theories of liability. Pursuant to Civil Local Rule 7-1(b), the matter is suitable for disposition without oral argument and the hearing set for February 8, 2024, is vacated. The motion to dismiss is granted. Without prejudice to defendant’s right to challenge the adequacy of any amendments, plaintiff may file an amended complaint within ten days of the date of this order.

IT IS SO ORDERED.

Dated: January 18, 2024


RICHARD SEEBORG
Chief United States District Judge