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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

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WANXIA LIAO,

No. C 08-02776 SBA

Plaintiff,

ORDER

v.

[Docket No. 11]


JOHN ASHCROFT, United States
Attorney General, *et al.*,

Defendants.

After defendant CNN filed a Special Motion to Strike Complaint Pursuant to C.C.P. § 425.16 or, alternatively, to Dismiss under Fed. R. Civ. P. 12(b)(6) on November 10, 2008, *see* Docket No. 11, plaintiff filed a first amended complaint on December 22, 2008, *see* Docket No. 20. In response, defendant filed another Special Motion to Strike Complaint Pursuant to C.C.P. § 425.16 or, alternatively, to Dismiss under Fed. R. Civ. P. 12(b)(6) on January 9, 2008. *See* Docket No. 28. Defendant's first Special Motion to Strike Complaint Pursuant to C.C.P. § 425.16 or, alternatively, to Dismiss under Fed. R. Civ. P. 12(b)(6) [Docket No. 11] is DENIED as moot. The hearing set for this motion on January 20, 2009, is VACATED.

IT IS SO ORDERED.

January 13, 2009


Saundra Brown Armstrong
United States District Judge