

1
2
3 **UNITED STATES DISTRICT COURT**
4 **NORTHERN DISTRICT OF CALIFORNIA**
5

6 **HIGH TEK USA, INC.,**

7 **Plaintiff,**

8 **vs.**

9
10 **HEAT AND CONTROL, INC. and DOES 1**
11 **through 50, inclusive,**

12 **Defendants.**

Case No.: 12-CV-00805 YGR

ORDER DENYING MOTION OF DEFENDANT
HEAT AND CONTROL, INC. TO DISMISS

United States District Court
Northern District of California

13
14 Defendant has filed a Motion to Dismiss Plaintiff's Amended Complaint. In the Court's
15 Order granting the motion to dismiss the original complaint, the Court identified several areas where
16 the original complaint lacked sufficient detail.

17 Having carefully considered the papers submitted and the amended complaint, the Court finds
18 that Plaintiff has responded to each concern.

19 Therefore, the Court **DENIES** the Motion to Dismiss.¹

20 Defendant shall file an answer within 21 days of the date this Order is filed.

21 This Order terminates Dkt. No. 40.

22 **IT IS SO ORDERED.**

23 **Date** October 10, 2012

24 

YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

25
26
27
28 ¹ Pursuant to Federal Rule of Civil Procedure 78(b) and Civil Local Rule 7-1(b), the Court finds that this motion is appropriate for decision without oral argument. Accordingly, the Court **VACATES** the hearing set for October 16, 2012.