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United States District Court
Northern District of California

ROBERT N. BENNETT,

Plaintiff,

v.

WELLS FARGO BANK, N.A., et al.,

Defendants.

Case No.: CV 13-01693-KAW

ORDER VACATING DEFENDANT
WELL FARGO BANK, N.A.'S
MOTION TO DISMISS

(Dkt. No. 5.)

On April 22, 2013, Defendant Wells Fargo Bank, N.A. ("Wells Fargo") filed a motion to dismiss Plaintiff Robert N. Bennett's complaint. (Dkt. No. 5.)

On May 13, 2013, Plaintiff filed his first amended complaint. (Dkt. No. 13.) On May 28, 2013, Wells Fargo filed a motion to dismiss the first amended complaint, which is set for hearing on July 18, 2013. (Dkt. No. 14.)

In light of the amended pleading and moving papers, both the initial motion to dismiss (Dkt. No. 5) and the June 6, 2013 hearing are VACATED.

IT IS SO ORDERED.

Dated: May 30, 2013



KANDIS A. WESTMORE
United States Magistrate Judge