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United States District Court
Northern District of California

CHARLOTTE PENERMON,
Plaintiff,
v.
WELLS FARGO BANK, N.A.; and DOES 1
through 50,
Defendant(s).

Case No.: CV 14-00065-KAW

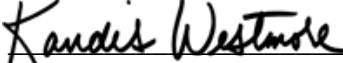
ORDER TERMINATING MOTION TO
DISMISS

On January 13, 2014, Defendant Wells Fargo filed a motion to dismiss Plaintiff Charlotte Penermon's initial complaint. (Dkt. No. 5.) On February 3, 2014, Plaintiffs filed an amended complaint. (Dkt. No. 12.)

Under Rule 15(a)(1)(B), a party may amend its pleading once as a matter of course within 21 days of being served with a motion under Rule 12(b). The amended complaint was filed within 21 days after service of the 12(b)(6) motion. Accordingly, the Court terminates the pending motion to dismiss (Dkt. No. 5), as the operative complaint is now the amended complaint.

IT IS SO ORDERED.

Dated: February 4, 2014


KANDIS A. WESTMORE
United States Magistrate Judge