

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EDD KING, et al.,
Plaintiffs,
v.
NATIONAL GENERAL INSURANCE
COMPANY, et al.,
Defendants.

Case No. [15-cv-00313-DMR](#)

**ORDER DENYING MOTION TO
DISMISS AND MOTION TO STRIKE
AS MOOT**

Re: Dkt. Nos. 16, 17

Defendants filed motions to strike and to dismiss the complaint on March 3, 2015. On March 24, 2015, Plaintiffs filed a First Amended Complaint. Pursuant to Federal Rule of Civil Procedure 15(a), “[a] party may amend its pleading once as a matter of course within: (A) 21 days after serving it, or (B) if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.”

Because Plaintiffs have timely filed the First Amended Complaint, Defendants’ motion to dismiss and motion to strike are **denied as moot**.

IT IS SO ORDERED.

Dated: March 25, 2015



Donna M. Ryu
United States Magistrate Judge