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United States District Court  
Northern District of California

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

**JAKE HA,**  
Plaintiff,  
  
vs.  
  
**JOHN E. CALDWELL, ET AL.,**  
Defendants.

CASE NO. 15-cv-04485-YGR

**ORDER DENYING MOTION TO DISMISS AS  
MOOT**

Re: Dkt. No. 20

On December 21, 2017, nominal defendant Advanced Micro Devices and defendants W. Michael Barnes, Richard A. Bergman, John E. Caldwell, Henry WK Chow, Bruce L. Claflin, Nora M. Denzel, Nicholas M. Donofrio, Martin L. Edelman, John R. Harding, Joseph A. Householder, Michael J. Inglis, Rory P. Read, Thomas J. Seifert, Lisa T. Su, and Ahmed Yahia (collectively, “defendants”) filed a Motion to Dismiss the Verified Shareholder Derivative Complaints of Christopher Hamilton and David Hamilton (the “*Hamilton* Complaint”) and plaintiff Jake Ha (the “*Ha* Complaint”) with prejudice pursuant to Federal Rules of Civil Procedure 12(b)(6) and 23.1. (Dkt. No. 20 (“Motion to Dismiss”).)<sup>1</sup>

On February 2, 2018, plaintiff Jake Ha filed a Verified Amended Shareholder Derivative Complaint (Dkt. No. 25 (“Amended Complaint”).) In light of the filing of the Amended Complaint, the Motion to Dismiss is **DENIED AS MOOT** with respect to the *Ha* Complaint.<sup>2</sup> The hearing set for February 27, 2018 with respect to the same is **VACATED**.

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<sup>1</sup> The same Motion to Dismiss was filed in civil action 15-cv-01890-YGR (“*Hamilton*”). (See Dkt. No. 38.)

<sup>2</sup> The corresponding request for judicial notice (Dkt. No. 22) is also **DENIED AS MOOT**.

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This Order terminates Docket Number 20.

**IT IS SO ORDERED.**

Dated: February 9, 2018

  
YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE