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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

JOSHUA CLAYPOLE, et al.,
Plaintiffs,
v.
COUNTY OF SAN MATEO, et al.,
Defendants.

Case No. 14-cv-02730-BLF

**ORDER REQUESTING
CLARIFICATION RE STATUS OF
PENDING MOTION TO DISMISS
FILED BY COMMUNITY HOSPITAL
OF MONTEREY PENINSULA**

On August 5, 2014, Defendant Community Hospital of Monterey Peninsula (“CHOMP”) filed a motion to dismiss the then-operative Complaint. That motion is set for hearing on November 19, 2014. On October 28, 2014, Plaintiffs filed an Amended Complaint. The parties shall clarify the status of the pending motion, in writing, on or before November 12, 2014. Specifically, the parties shall specify whether the operative Amended Complaint contains any allegations against CHOMP that are different from the allegations of the original Complaint, and whether it would be appropriate to treat the pending motion to dismiss as though it were directed toward the operative Amended Complaint.

IT IS SO ORDERED.

Dated: November 7, 2014



BETH LABSON FREEMAN
United States District Judge