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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

ERNESTO ORTIZ; ARACELI ORTIZ,

Plaintiffs,

v.

ACCREDITED HOME LENDERS, INC.;
LINCE HOME LOANS; CHASE HOME
FINANCE, LLC; U.S. BANK NATIONAL
ASSOCIATION, TRUSTEE FOR JP
MORGAN ACQUISITION TRUST-2006
ACC; and DOES 1 through 100, inclusive,

Defendants.

CASE NO. 09 CV 0461 JM (CAB)


**ORDER DENYING MOTION TO
DISMISS AS MOOT**

Doc. No. 3

Pending before the court is a motion brought by Defendants Chase Home Finance and U.S. National Bank to dismiss Plaintiffs' Complaint. (Doc. No. 3.) In lieu of filing an opposition to the motion, Plaintiffs filed a First Amended Complaint. (Doc. No. 4.) Because the target of Defendants' motion is no longer operative, the court **DENIES** the motion to dismiss as moot and **VACATES** the hearing previously set for May 1, 2009.

IT IS SO ORDERED.

DATED: April 21, 2009



Hon. Jeffrey T. Miller
United States District Judge