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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 STEPHEN I. OSTROW, an individual; on
12 behalf of himself and all others similarly
13 situated, and on behalf of the general public,
14 and ROES 1 through 100, inclusive,

Plaintiff,

15 vs.

16 JP MORGAN CHASE & CO., a Delaware
17 corporation; JP MORGAN CHASE BANK,
18 N.A., a New York corporation; CHASE
19 BANK USA, NATIONAL ASSOCIATION,
20 a Delaware corporation; WASHINGTON
MUTUAL, INC., a Washington corporation;
WASHINGTON MUTUAL BANK, a
Washington corporation; and DOES 1
through 100, inclusive,

Defendants.

CASE NO. 09 CV 1445 JM (AJB)

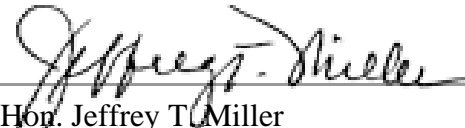
**ORDER DENYING MOTION TO
DISMISS AS MOOT**

Doc. No. 15

21 Pending before the court is a motion to dismiss the complaint. (Doc. No. 15). Plaintiff,
22 however, subsequently filed a first amended complaint on November 25, 2009 which is now the
23 operative complaint. Therefore, the court hereby DENIES the motion to dismiss as moot.

24 **IT IS SO ORDERED.**

25 DATED: November 30, 2009

26 
27 Hon. Jeffrey T. Miller
28 United States District Judge