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

MODESTO ORTEGA, an individual,

Plaintiff,

vs.

WELLS FARGO BANK, a California
corporation; PRIMARY FINANCIAL
SERVICES, LLC; FIRST AMERICAN
LOANSTAR TRUSTEE SERVICES; and
DOES 1 through 20,

Defendants.

CASE NO. 09 CV 1531 JM (NLS)


**ORDER DENYING MOTION TO
DISMISS AS MOOT**

Doc. No. 7

Pending before the court is Defendant Wells Fargo Bank’s motion to dismiss. (Doc. No. 7).
On December 2, 2009, however, Plaintiff filed a first amended complaint pursuant to Federal Rule of
Civil Procedure 15(a). Therefore, the court hereby DENIES AS MOOT Defendant’s motion to
dismiss.

IT IS SO ORDERED.

DATED: December 9, 2009



Hon. Jeffrey T. Miller
United States District Judge