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

IVAN MARTIN,

Plaintiff,

vs.

ELTMAN, ELTMAN & COOPER PC; ERIN
CAPITAL MANAGEMENT LLC,

Defendant.

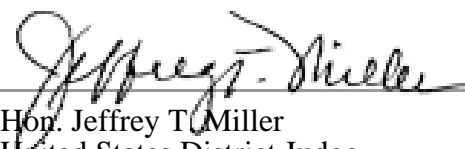
CASE NO. 09cv2618 JM(RBB)

ORDER DENYING MOTION TO
DISMISS AS MOOT

In light of the filing of the First Amended Complaint on January 25, 2010, the court denies the pending motion to dismiss as moot. (Docket No. 7).

IT IS SO ORDERED.

DATED: February 5, 2010



Hon. Jeffrey T. Miller
United States District Judge

cc: All parties