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

LA MICHOACANA PLUS ICE CREAM
PARLOR CORP, a California
corporation,

Plaintiff,

v.

WINDY CITY PALETAS, INC., a
California corporation; ECUAMEX
PALETAS, INC., a California
corporation; SKY LIMIT ENTERPRISES
II, INC., a Nevada corporation; KJAM
PALETAS, INC., a California
corporation; ARTURO MIRANDA, an
individual; KAYLA RINCON, an
individual; DIGMEY JARAMILLO, an
individual; and DOES 1 through 50,

Defendants.

Case No.: 24-cv-00631-H-MMP

**ORDER SUBMITTING
DEFENDANTS’ PARTIAL MOTION
TO DISMISS**

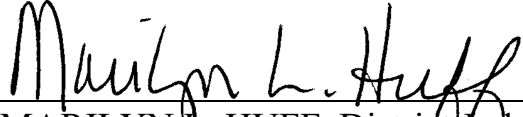
On April 15, 2024, Defendants Windy City Paletas, Ecuamex Paletas, Inc., Sky Limit Enterprises II, Inc., KJAM Paletas, Inc., Arturo Miranda, Digmey Jaramillo, and Kayla Rincon filed a partial motion to dismiss Plaintiff La Michoacana Plus Ice Cream Parlor Corp’s complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to

1 state a claim. (Doc. No. 32.) On May 6, 2024, Plaintiff filed a response in opposition to
2 Defendant's motion to dismiss. (Doc. No. 33.)

3 A hearing on Defendants' motion is currently scheduled for Monday, June 10, 2024
4 at 10:30 a.m. The Court, pursuant to its discretion under Civil Local Rule 7.1(d)(1),
5 determines the matter is appropriate for resolution without oral argument, submits the
6 motion on the parties' papers, and vacates the hearing. Defendants' reply brief remains
7 due by **June 3, 2024**.

8 **IT IS SO ORDERED.**

9 DATED: June 3, 2024

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12 MARILYN L. HUFF, District Judge
13 UNITED STATES DISTRICT COURT
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