

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-00702-PAB-CBS

LLOYD E. MORRIS,
Plaintiff,

v.

COLORADO HOUSING AND FINANCE AUTHORITY (CHFA), and
WELLS FARGO BANK, N.A.,
Defendants.

ORDER

Magistrate Judge Craig B. Shaffer

This civil action comes before the court on Plaintiff's "Motion for Leave to File Amended Complaint" (filed September 6, 2011) (Doc. # 50). Pursuant to the Order of Reference dated April 4, 2011 (Doc. # 4) and the memorandum dated September 6, 2011 (Doc. # 51), this matter was referred to the Magistrate Judge. The court has reviewed the Motion, the tendered "Verified Amended Complaint" (Doc. # 50-1), the entire case file, and the applicable law and is sufficiently advised in the premises.

Defendant CHFA does not oppose the Motion. No other response or objection has been filed with the court. Accordingly, IT IS ORDERED that:

1. Plaintiff's "Motion for Leave to File Amended Complaint" (filed September 6, 2011) (Doc. # 50) is GRANTED. The tendered "Verified Amended Complaint" (Doc. # 50-1) is accepted for filing as of the date of this Order.

2. In light of the filing of the Amended Complaint, Defendant CHFA's Motion to Dismiss (filed June 14, 2011) (Doc. # 36) is DENIED as moot, without prejudice to

refiling directed to the Amended Complaint.

3. In light of the filing of the Amended Complaint, the Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) by Defendants Wells Fargo Bank, N.A. and Chris Hirai (filed May 12, 2011) (Doc. # 20) is DENIED as moot, without prejudice to refiling directed to the Amended Complaint.

4. In light of the filing of the Amended Complaint, Defendant Lynn M. Janeway's Motion to Dismiss with Prejudice Pursuant to Fed. R. Civ. P. 12(b)(6) for Failure to State a Claim (filed April 14, 2011) (Doc. # 9) is DENIED as moot.

DATED at Denver, Colorado this 3rd day of October, 2011.

BY THE COURT:

s/ Craig B. Shaffer
United States Magistrate Judge