

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Magistrate Judge Kathleen M. Tafoya**

Civil Action No. 12-cv-02831-REB-KMT

PERSISTENT CAPITAL MANAGEMENT, LLC,

Plaintiff,

v.

WHITE OAK STRATEGIC FUND II, L.P.,  
WHITE OAK GLOBAL ADVISORS, LLC,  
WHITE OAK PARTNERS, LLC, and  
ANDRE HAKKAK, an individual,

Defendants.

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**MINUTE ORDER**

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**ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA**

Plaintiff's "Unopposed Motion to Amend" (Doc. No. 28, filed April 2, 2013) is GRANTED, pursuant to Fed. R. Civ. P. 15(a)(2). The Clerk is directed to file the "Second Amended Complaint and Jury Demand" (Doc. No. 28-1).

"Defendants' Motion to Dismiss and Memorandum Brief in Support" (Doc. No. 24, filed March 12, 2013) is DENIED as moot, as it is directed at the now non-operative complaint. Therefore, "Plaintiff's Unopposed Motion to Stay Defendants' Motion to Dismiss and Memorandum Brief in Support" (Doc. No. 29, filed April 2, 2013) also is DENIED as moot.

Dated: April 3, 2013