

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Raymond P. Moore**

Civil Action No. 12-cv-3327-RM-KMT

MATTHEW BUNTING,

Plaintiff,

v.

PREFERRED HOMECARE,

Defendant.

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**ORDER DENYING DEFENDANT'S MOTION TO DISMISS AS MOOT (ECF NO. 25)**

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THIS MATTER is before the Court *sua sponte*. Upon consideration of the Plaintiff's Amended Civil Complaint (ECF No. 43) and Defendant's corresponding Answer (ECF No. 44), the Court finds Defendant's Motion to Dismiss (ECF No. 25) directed to Plaintiff's original Complaint (ECF No. 3) is moot. It is therefore

ORDERED that Defendant's Motion to Dismiss Pursuant to Fed.R.Civ.P. 12(b)(6) (ECF No. 25) is hereby DENIED as moot.

DATED this 15th day of April, 2014.

BY THE COURT:



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RAYMOND P. MOORE  
United States District Judge