

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Craig B. Shaffer

Civil Action: 14-cv-03350-CBS

Date: August 25, 2015

Courtroom Deputy: Amanda Montoya

FTR – Reporter Deck-Courtroom A402

Parties:

Counsel:

PETER HILB,

Gary Merenstein

Plaintiff,

v.

HSBC BANK USA, *et al.*,

Donna Bakalor
Ashley Calhoun
Melissa Cizmoris

Defendant.

COURTROOM MINUTES/MINUTE ORDER

HEARING: MOTION HEARING

Court in session: 01:30 p.m.

Court calls case. Appearances of counsel.

This hearing comes before the court in regards to *[41] Plaintiff's Contested Motion to Amend His Previously Filed Amended Complaint and Demand for Jury Trial*. Discussion and argument regarding the motion.

After conferral with the court, the Plaintiff agrees to withdraw *[41] Plaintiff's Contested Motion to Amend His Previously Filed Amended Complaint and Demand for Jury Trial*.

ORDERED: *[41] Plaintiff's Contested Motion to Amend His Previously Filed Amended Complaint and Demand for Jury Trial* is **WITHDRAWN**. The Plaintiff may file an unopposed motion for leave to file a second amended complaint by **September 9, 2015**. The unopposed motion does not prejudice the defendant's right to answer or otherwise respond under Rule 12.

In light of the Plaintiff filing a second amended complaint *[25] Defendants HSBC Bank USA, National Association, as Trustee for the Certificate Holders of the Ace Securities Corporation Home Equity Loan Trust, Series 2006-NC2, Asset Backed Pass Through Certificates, its Successors and Assigns and Select Portfolio*

*Servicing, Inc's Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(6) and [26]
Defendant Bank of America, N.A.'s Motion to Dismiss Plaintiff's First Amended
Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) are **DENIED AS MOOT.***

HEARING CONCLUDED.

Court in recess: 01:45 p.m.

Total time in court: 00:15

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