

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Wiley Y. Daniel

Civil Action No. 15-cv-00711-WYD-NYW

GORDON HARKNESS,

Plaintiff,

v.

RICHARD KRAMMER and
DAVID HOFFMAN,

Defendants.

ORDER

THIS MATTER is before the Court in connection with Defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction filed on May 13, 2015. This motion, filed as to the original complaint, is moot in light of the fact that on October 15, 2015, Plaintiff filed a First Amended Verified Complaint for Declaratory Judgment and Request for a Speedy Hearing (ECF No. 22). Defendants responded by filing an Answer and Counterclaims. (ECF No. 26.) Based on the foregoing, it is

ORDERED that Defendant Richard Krammer and David Hoffman's Motion to Dismiss for Lack of Subject Matter Jurisdiction (ECF No. 5) is **DENIED AS MOOT**.

Dated: December 14, 2015

BY THE COURT:

s/ Wiley Y. Daniel _____
Wiley Y. Daniel
Senior United States District Judge