

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

BANK OF AMERICA, N.A.,

Plaintiff,

vs.

JEWISH COMMUNITY CENTER,

Defendant,

and

CHRIS KOSTER,

Attorney General of Missouri,

Defendant-Intervenor.

Case No. 4:12-CV-372-JAR

MEMORANDUM AND ORDER

This matter is before the Court on Defendant Jewish Community Center's Motion to Dismiss Count III of Plaintiff's First Amended Complaint [ECF No. 10] and Attorney General's Motion to Dismiss Count III of Plaintiff's First Amended Complaint [ECF No. 30]. Based on the filing of Plaintiff's Second Amended Complaint on September 24, 2012 [ECF No. 47], the pending motions to dismiss will be denied as moot.

Accordingly,

IT IS HEREBY ORDERED that Defendant Jewish Community Center's Motion to Dismiss Count III of Plaintiff's First Amended Complaint [10] is **DENIED** as moot.

IT IS FURTHER ORDERED that Attorney General's Motion to Dismiss Count III of Plaintiff's First Amended Complaint [30] is **DENIED** as moot.

Dated this 10th day of October, 2012.


JOHN A. ROSS

UNITED STATES DISTRICT JUDGE