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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MIGUEL DIAZ,	)	3:12-cv-00468-HDM-WGC
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
DONALD E. WEIR and PATRICIA	)	
ANTOINETTE WEIR as Trustees of	)	
the DONALD E. WEIR FAMILY	)	
REVOCABLE LIVING TRUST DATED	)	
2/12/85 and the DONALD E. WEIR	)	
FAMILY REVOCABLE LIVING TRUST	)	
DATED 2/12/85, <i>in personam</i> ; and	)	
M/V SMOKE, her engines, tackle,	)	
apparel, furniture, and	)	
appurtenances, <i>in rem</i> .	)	
	)	
Defendants.	)	

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Plaintiff's filing of his amended complaint (#15) has rendered the defendant's motion to dismiss moot. Accordingly, the defendant's motion to dismiss (#9) is denied as moot without prejudice to the filing of any motion deemed appropriate relative to the amended complaint.

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**IT IS SO ORDERED.**

DATED: This 17th day of October, 2012.



UNITED STATES DISTRICT JUDGE