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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

VERIS GOLD USA INC.,	)	3:13-cv-00009-HDM-VPC
	)	
Plaintiff,	)	
	)	ORDER
vs.	)	
	)	
HEYL & PATTERSON, INC., and DOES	)	
1-10,	)	
	)	
Defendants.	)	
_____	)	

On January 25, 2013, defendant filed a motion to dismiss plaintiff's claim for consequential damages (#13). On February 5, 2013, plaintiff filed a second amended complaint removing from the body of the complaint the language that related to consequential damages. Plaintiff's amended complaint supersedes plaintiff's original complaint. *Dichter-Mad Family Partners, LLP v. United States*, - F.3d -, 2013 WL 501648 (9th Cir. Feb. 12, 2013). Accordingly, defendant's motion to dismiss (#13) is **DENIED AS MOOT**.

IT IS SO ORDERED.

DATED: This 25th day of February, 2013.

  
 \_\_\_\_\_  
 UNITED STATES DISTRICT JUDGE