

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

ANTHONY D. SAIN, <i>on behalf of Citizens</i>	)	
<i>of United States,</i>	)	
	)	Case No. 4:08CV00040
Plaintiff,	)	
	)	<b><u>ORDER</u></b>
v.	)	
	)	By: Jackson L. Kiser
Branch Banking & Trust, Inc.,	)	Senior United States District Judge
	)	
Defendant.	)	

Before me is the Plaintiff’s Amended Complaint [24], filed March 10, 2009. Because the Amended Complaint renders the Plaintiff’s original Complaint [3] moot, the Defendant’s First Motion to Dismiss Plaintiff’s Class Action Complaint [8] is also moot. Therefore, the Notice of Hearing [21] on the Defendant’s Motion to Dismiss is withdrawn from the docket.

Similarly, because the Plaintiff has retained counsel [23], the Plaintiff’s Motion to Allow Electronic Filing by a Party Appearing Without an Attorney and Supporting Information [5] is also moot. Therefore, the Notice of Hearing [16] on the Plaintiff’s Motion to Allow Electronic Filing is withdrawn from the docket.

The Clerk is directed to send a copy of this Order to all counsel of record.

Entered this 17th day of March, 2009.

s/Jackson L. Kiser  
Senior United States District Judge