

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SACV 09-1072 DOC (Ex)

Date: December 16, 2009

Title: Charles Edward Lincoln III v. Steven D. Silverstein, et al.

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DOCKET ENTRY

[I hereby certify that this document was served by first class mail or Government messenger service, postage prepaid, to all counsel (or parties) at their respective most recent address of record in this action on this date.]

Date: \_\_\_\_\_ Deputy Clerk: \_\_\_\_\_

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PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Kristee Hopkins

Courtroom Clerk

Not Present

Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS: ATTORNEYS PRESENT FOR DEFENDANTS:

NONE PRESENT

NONE PRESENT

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PROCEEDING (IN CHAMBERS): GRANTING LEAVE TO AMEND COMPLAINT AND DENYING MOTION TO DISMISS AS MOOT

The Court is in receipt of Defendant Steven D. Silverstein, Ron Elter, and GRE Development, Inc.'s Motion to Dismiss and reply thereon. The Court is also in receipt of *pro se* Plaintiff Charles Edward Lincoln III's Opposition to the Motion to Dismiss and First Amended Complaint.

As Plaintiff has filed his First Amended Complaint, and the Court grants leave to file it, the Court DENIES AS MOOT Defendant's Motion to Dismiss the Complaint without prejudice. Should Defendants file a renewed Motion to Dismiss, Plaintiff is directed to address that motion on the merits and only file a Second Amended Complaint following full briefing and the court's decision on the Motion to Dismiss and grant of leave to file the amended complaint.

The Clerk shall serve this minute order on all parties to the action.