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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MINDEN PICTURES, INC.,

Plaintiff,

No. C 11-05385 WHA

v.

PEARSON EDUCATION, INC.,  
and JOHN DOE PRINTERS 1-10,


Defendants.

**ORDER DENYING MOTION  
TO DISMISS AS MOOT AND  
GRANTING LEAVE TO FILE  
SECOND AMENDED COMPLAINT**

On February 16, 2012, a hearing on defendants' motion to dismiss took place. Plaintiff's counsel provided a proposed amendment to its complaint at the hearing. For the reasons stated at the hearing, defendants' motion to dismiss is denied as moot. The second amended complaint shall be due by **MARCH 1, 2012**. Plaintiff must plead its best case, and the amended complaint should address all issues discussed at the hearing. Defendants must file a renewed motion to dismiss by **MARCH 15**, to be heard on a 35-day calendar.

**IT IS SO ORDERED.**

Dated: February 16, 2012

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE