

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CHARLES AND ROSALIND
MORRISON,**

Plaintiffs,

v.

WELLS FARGO, N.A., et al.,

Defendants.

CIVIL ACTION

No. 07-1437

MEMORANDUM/ORDER

July 18, 2007,

On June 6, 2007, defendant Wells Fargo, N.A., filed a motion to dismiss plaintiffs' complaint pursuant to Federal Rule Civil Procedure 12(b)(6). *See* Docket No. 9. On June 15, 2007, plaintiffs filed their first amended complaint. *See* Docket No. 11. On July 2, 2007, in response to plaintiffs' first amended complaint, Wells Fargo filed a "Renewed Motion to Dismiss." *See* Docket No. 14. Because the original complaint has been superseded by plaintiffs' first amended complaint, and the June 6 motion to dismiss has been superseded by the renewed motion to dismiss, Wells Fargo's June 6 motion to dismiss the original complaint (Docket No. 9) is hereby **DISMISSED** as **MOOT**.

Plaintiffs have also stated in a June 19, 2007 letter to the court that they do not

wish to pursue their motion for a default judgment against defendant Francine Cross (Docket No. 6), in light of Ms. Cross's subsequent appearance in the case (*see* Docket No. 12, Answer of Francine Cross). Accordingly, plaintiffs' motion for default judgment (Docket No. 6) is hereby **DISMISSED** as **MOOT**.

BY THE COURT:

/s/ Louis H. Pollak

Pollak, J.