

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

FRED NEKOUUE,)
)
 Plaintiff,)
)
 v.) CIVIL ACTION NO. 2:16cv954 -WHA
)
 3S PROPERTIES, LLC, etc., et al.,) (wo)
)
 Defendant.)
)

ORDER

This cause is before the court on the Defendant’s Motion to Dismiss in Part, or in the Alternative to Strike (Doc. #7), filed on January 18, 2017,.

The Plaintiff has brought claims based on violations of Title II of the Americans with Disabilities Act (“ADA”). The Defendant challenges paragraph 11 of the Complaint, stating that it refers to unspecified allegations of the statute. The Defendant asserts that the Plaintiff has failed to demonstrate standing to bring those claims.

The Plaintiff has filed an Amended Complaint (Doc. #10) which removes the reference in paragraph 11 to unspecified violations of the ADA which have not yet been discovered.

Accordingly, considering the Amended Complaint, it is hereby ORDERED that the Motion is DENIED as moot.

DONE this 19th day of January, 2017.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE