

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-02150-REB-KLM

PAUL HEDIN,

Plaintiff,

v.

AMEDISYS HOLDING, L.L.C., and
AMEDISYS WESTERN, L.L.C.,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Defendants' **Rule 12(b)(6) Motion to Dismiss** [#13] (the "Motion to Dismiss") and on Plaintiff's **Amended Motion to Allow Amended Complaint And Jury Demand** [#37] (the "Motion"). Defendants took no position on the Motion to Amend. Plaintiff has not previously amended his Complaint. Pursuant to Fed. R. Civ. P. 15(a)(2), the Court finds that justice would be served here by allowing Plaintiff to amend his Complaint. Accordingly,

IT IS HEREBY **ORDERED** that the Motion to Amend [#37] is **GRANTED**. Plaintiff shall file a non-redlined version of his Amended Complaint [#37-2] **on or before May 20, 2014**.

IT IS FURTHER **ORDERED** that the Motion to Dismiss [#13] is **DENIED as moot**. *See, e.g., Strich v. United States*, No. 09-cv-01913-REB-KLM, 2010 WL 14826, at *1 (D. Colo. Jan. 11, 2010) (citations omitted) ("The filing of an amended complaint moots a motion to dismiss directed at the complaint that is supplanted and superseded."); *Gotfredson v. Larsen LP*, 432 F. Supp. 2d 1163, 1172 (D. Colo. 2006) (noting that the defendants' motions to dismiss are "technically moot because they are directed at a pleading that is no longer operative").

Dated: May 14, 2014