

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-00974-RM-MEH

AURELIO SANCHEZ,
DOMINGO SANCHEZ,
DANIEL HERNANDEZ,
MIGUEL ANGEL GODOY,
JOSE LUIS ARREOLA,
BENITA ARREOLA, and
CLARA ARRELOA,

Plaintiffs,

v.

SIMPLY RIGHT, INC.,
CINEMARK USA, INC.,
DANIEL KILGORE, and
BEATRICE PERMAN,

Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on July 9, 2015.

In the interests of justice and judicial efficiency, the Plaintiffs' Motion for Leave to File First Amended Complaint [filed July 9, 2015; docket #19] is **granted**. Plaintiffs shall file a clean copy of their First Amended Collective Action Complaint for Unpaid Wages on or before July 13, 2015.

In light of this order, Defendant Cinemark's Motion to Dismiss [filed June 19, 2015; docket #12] is **denied as moot** with leave to re-file, if Defendant so chooses, in response to the amended complaint. *See Franklin v. Kansas Dep't of Corr.*, 160 F. App'x 730, 734 (10th Cir. 2005) ("An amended complaint supersedes the original complaint and renders the original complaint of no legal effect.") (citing *Miller v. Glanz*, 948 F. 2d 1562, 1565 (10th Cir. 1991)); *see also Robinson v. Dean Foods Co.*, No. 08-cv-01186-REB-CBS, 2009 WL 723329, at *4 (D. Colo. Mar. 18, 2009) (citation omitted) ("Generally, when an amended complaint is filed, the previous complaint is wiped out and the operative complaint is the most recently filed version.").