

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

Bethani LEE, as Personal)
Representative of the Estate of)
Jonee Adair Lee-Livingston,)
)
Plaintiff,)
)
v.)
)
MYLAN INC., et. al,)
)
Defendants.)
_____)

CIVIL ACTION NO. 5:10-CV-361 (MTT)

ORDER

This matter is before the Court on the Plaintiff’s Letter Regarding the Amended Complaint and the Defendants’ Motion for Summary Judgment. (Doc. 37). The Court construes the letter as a Motion to Amend the Complaint and to Add Mr. Calvin Livingston as a plaintiff. The Motion is **GRANTED**. The letter also states that counsel for the Defendants agrees that the addition of Mr. Livingston moots its Motion for Summary Judgment. Accordingly, the Defendants’ Motion for Summary Judgment is **DENIED without prejudice**. Pursuant to Fed. R. Civ. P. 15(a)(3), the Defendants have 14 days after service of the amended complaint to respond.

SO ORDERED, this the 26th day of July, 2011.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT