

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

**KIMBERLY ESPARZA**

**CIVIL ACTION**

**VERSUS**

**No. 17-4803**

**UNIVERSITY MEDICAL CENTER  
MANAGEMENT CORPORATION ET AL.**

**SECTION I**

**ORDER**

Plaintiff Kimberly Esparza filed a first amended complaint<sup>1</sup> in the above-captioned matter pursuant to Rule 15(a)(1)(B) of the Federal Rules of Civil Procedure.

Therefore,

**IT IS ORDERED** that the motion<sup>2</sup> to dismiss filed by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; the motion<sup>3</sup> to dismiss and stay filed by Louisiana Children's Medical Center; and the motion<sup>4</sup> to dismiss and stay filed by the University Medical Center Management Corporation are **DISMISSED** as moot. *See King v. Dogan*, 31 F.3d 244 (5<sup>th</sup> Cir. 1994) (“An amended complaint supersedes the original complaint and renders it of no legal effect unless the amended complaint specifically refers to and adopts or incorporates by reference the earlier pleading.”); *Jefferson Community Health Care Ctrs., Inc. v. Jefferson Parish Gov’t*, No. 16-12910, 2016 WL 4429953, at \*2 (E.D. La. Aug. 22, 2016)

---

<sup>1</sup> R. Doc. No. 17.

<sup>2</sup> R. Doc. No. 14.

<sup>3</sup> R. Doc. No. 15.

<sup>4</sup> R. Doc. No. 16.

(Brown, J.) (“[M]any district courts—including this Court—routinely deny as moot motions to dismiss that are filed prior to an amendment of a complaint.”); *see also id.* at \*2 n.14 (citing cases).

**IT IS FURTHER ORDERED** that any motions responding to the first amended complaint be filed by **July 12, 2017**.

New Orleans, Louisiana, July 5, 2017.

  
\_\_\_\_\_  
**LANCE M. AFRICK**  
**UNITED STATES DISTRICT JUDGE**