

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

LEAH THIBODEAUX

CIVIL ACTION

VERSUS

NO. 17-695-JJB-EWD

RED FROG EVENTS, LLC  
ET AL.**NOTICE AND ORDER REGARDING PLAINTIFF'S MOTION FOR LEAVE**

Before the court is Plaintiff's Unopposed Motion for Leave to File First Supplemental and Amended Complaint.<sup>1</sup> Plaintiff asserts that "[c]ounsel for defendants have been contacted and have no objection to the filing of this Motion."<sup>2</sup> By her proposed pleading, Plaintiff seeks to add Event Medical Staffing Solutions, Daniel Lauber, and Marcus Edwards as defendants. On November 27, 2017, defendant Red Frog Events, LLC ("Red Frog") filed a Rule 12(b)(7) Motion – Failure to Join Event Medical Staffing Solutions, Daniel Lauber, and Marcus Edwards under Rule 19.<sup>3</sup>

Although Plaintiff may file her First Supplemental and Amended Complaint pursuant to Fed. R. Civ. P. 15(a)(1)(B), it is the undersigned's practice to require amending pleadings to be comprehensive (i.e., a pleading must include all of Plaintiff's active allegations and causes of action and may not incorporate by reference, refer to, or otherwise depend upon a previous pleading).<sup>4</sup> Plaintiff's proposed First Supplemental and Amended Complaint is not

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<sup>1</sup> R. Doc. 26.

<sup>2</sup> R. Doc. 26.

<sup>3</sup> R. Doc. 23.

<sup>4</sup> On October 27, 2017, this case was consolidated for discovery purposes with Kimberly and Todd Buratt v. Red Frog Events, LLC et al., Civil Action No. 17-100-JJB-EWD for discovery purposes only. R. Doc. 15. Although no scheduling order is in place in the instant suit, the scheduling order entered in Buratt provides (as all orders issued by the undersigned do) that "[a]ny proposed amended pleading shall be comprehensive and include all relevant allegations as revised, supplemented or amended such that it will become the operative pleading without reference to any other document in the record." Buratt, Civil Action No. 17-100, R. Doc. 30, n. 1.

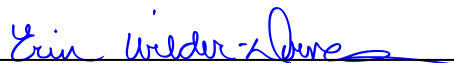
comprehensive. Instead, the proposed pleading “reiterates, re-alleges, and re-avers all of the allegations as contained in her Complaint filed on October 6, 2017, as if plead herein, in extenso.”<sup>5</sup>

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff shall file a Motion to Substitute her First Supplemental and Amended Complaint (R. Doc. 26-2) with a proposed First Amended Complaint that is comprehensive and which will, if the Motion to Substitute is granted, become the operative complaint in this matter. Plaintiff shall have seven (7) days from the date of this Notice and Order to file the Motion to Substitute. No leave of court is necessary to file the Motion to Substitute.

**IT IS FURTHER ORDERED** that Red Frog Events, LLC shall file either: (1) a Notice that the proposed First Amended Complaint does not moot the pending Rule 12(b)(7) Motion – Failure to Join Event Medical Staffing Solutions, Daniel Lauber, and Marcus Edwards under Rule 19 (the “Rule 12(b)(7) Motion”),<sup>6</sup> or (2) a Motion to Withdraw the Rule 12(b)(7) Motion within fourteen (14) days of this Notice and Order.

Signed in Baton Rouge, Louisiana, on December 6, 2017.



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**ERIN WILDER-DOOMES**  
**UNITED STATES MAGISTRATE JUDGE**

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<sup>5</sup> R. Doc. 26-2, ¶ I.

<sup>6</sup> R. Doc. 23.