

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3
4 William Soto,
5 Plaintiff

2:16-cv-00064-JAD-PAL

6 v.

**Order Denying Motions to Dismiss as Moot
in Light of Amended Complaint**

7 Aria Resort & Casino, LLC, et al.,

8 Defendants

[ECF 13, 14, 15, 23]

9
10 Plaintiff William Soto sues his employer, the Aria Resort & Casino, LLC, and a handful
11 of individuals for various torts and state statutory violations related to events that occurred in the
12 course of his job. After Aria and one of the individual defendants, Melanie Saljougui, filed
13 motions to dismiss,¹ Soto filed an amended complaint.² Soto and Aria agreed that Aria would
14 withdraw its motion to dismiss and have until March 18, 2016, to respond to the amended
15 complaint.³

16 “It is well-established in our circuit that an ‘amended complaint supersedes the original’”
17 and moots any motion to dismiss claims in the original complaint.⁴ Because Soto’s amended
18 complaint mooted Aria’s and Saljougui’s motions to dismiss, I deny both of them [ECF 14, 15]
19 as moot and without prejudice. I approve Soto and Aria’s stipulation [ECF 23] in all other
20 respects. So Aria will have until March 18, 2016, to respond to the amended complaint; all other
21 parties’ deadline for response is governed by FRCP 15(a)(3). And finally, I deny as moot the
22 stipulation between Soto and Saljougui extending Saljougui’s time to respond to the original
23 complaint [ECF 13].

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25 ¹ ECF 14, 15.

26 ² ECF 21.

27 ³ ECF 23.

28 ⁴ *Ramirez v. Cty. of San Bernardino*, 806 F.3d 1002, 1008 (9th Cir. 2015) (quoting *Forsyth v. Humana, Inc.*, 114 F.3d 1467, 1474 (9th Cir. 1997) (internal citation omitted)).

