

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Meridian OHC Partners,
Plaintiff
v.
Cyanotech Corp., et al,
Defendants

2:16-cv-01161-JAD-CWH

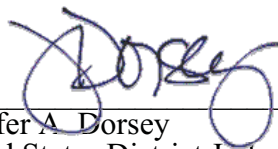
Order Denying Motions to Dismiss

[ECF Nos. 25, 27, 32]

Defendants moved to dismiss this shareholder derivative action on August 26, 2016. ECF Nos. 25, 27, 32. On September 19, 2016, plaintiff filed an amended complaint. ECF No. 41. Once filed, an amended pleading supersedes the original pleading in its entirety, mootng a motion to dismiss the original pleading. *See Forsyth v. Humana, Inc.*, 114 F.3d 1467, 1474 (9th Cir. 1997).

Accordingly, IT IS HEREBY ORDERED THAT the defendants' motions to dismiss [ECF 25, 27, 32] are **DENIED** as moot and without prejudice to the filing of new motions that directly address the claims in the Verified First Amended Complaint.

Dated this 27th day of September, 2016.



Jennifer A. Dorsey
United States District Judge