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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

LESTER DECKER

Plaintiff,

v.

BARRICK GOLDSTRIKE MINES, INC.,

Defendant.

3:12-cv-0287-LRH-WGC

ORDER

Before the court is defendant Barrick Goldstrike Mines, Inc.’s (“Barrick”) motion to dismiss.

Doc. #3.¹

After the filing of Barrick’s motion to dismiss, plaintiff Lester Decker (“Decker”) filed an amended complaint. Doc. #5. The filing of the amended complaint supersedes the original complaint in its entirety. Accordingly, Barrick’s motion to dismiss the complaint is now moot. Therefore, the court shall deny the motion to dismiss without prejudice to allow Barrick an opportunity to respond to the amended complaint.

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¹ Refers to the court’s docket entry number.

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IT IS THEREFORE ORDERED that defendant's motions to dismiss (Doc. #3) is DENIED without prejudice.

IT IS SO ORDERED.

DATED this 29th day of October, 2012.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE