

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

CUNNINGHAM PROPERTY  
MANAGEMENT TRUST,

Plaintiff,

v.

ASCENT RESOURCES – UTICA, LLC,

Defendant,

Case No. 2:16-cv-957

CHIEF JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Chelsey M. Vascura

**ORDER**

This matter is before the Court on the motions to dismiss [ECF Nos. 14, 16] filed by Defendant Ascent Resources – Utica, LLC (“ARU”) and former Defendants Ascent Resources, LLC and Ascent Resources Operating, LLC. Since the filing of those motions, Plaintiff filed an Amended Complaint, which names only ARU as a Defendant. (*See* Am. Compl. at 1 [ECF No. 20].) And ARU has, in turn, moved to dismiss the Amended Complaint. (*See* Mot. at 1 [ECF No. 22].) In light of these circumstances, the motions to dismiss the original Complaint [ECF Nos. 14, 16] are **DENIED AS MOOT**.

**IT IS SO ORDERED.**

DATE

9-18-2017

  
EDMUND A. SARGUS, JR.  
CHIEF UNITED STATES DISTRICT JUDGE