

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>KIERSTIN GILBERT,</b>	:	<b>CIVIL ACTION NO. 1:16-CV-1798</b>
	:	
<b>Plaintiff</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>MILTON HERSHEY SCHOOL,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

AND NOW, this 20th day of December, 2016, upon consideration of defendant’s motion (Doc. 5) to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) or, in the alternative, for summary judgment pursuant to Federal Rule of Civil Procedure 56, filed November 17, 2016, and further upon consideration of plaintiff’s amended complaint (Doc. 12), filed December 15, 2016, and the court observing that “[a]n amended complaint [supersedes] the original version in providing the blueprint for the future course of the lawsuit,” Snyder v. Pascack Valley Hosp., 303 F.3d 271, 276 (3d Cir. 2002); see also 6 CHARLES ALAN WRIGHT ET AL., FEDERAL PRACTICE AND PROCEDURE § 1476 (3d ed. 2016), and thus finding that the amended complaint renders the original complaint a legal nullity, it is hereby ORDERED that:

1. Defendant’s motion (Doc. 5) to dismiss is DENIED as moot and without prejudice.
2. Defendant shall respond to the amended complaint (Doc. 12) in accordance with the Federal Rules of Civil Procedure.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania