

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

<b>GRAHAM ENGINEERING CORP.,</b>	:	<b>CIVIL ACTION NO. 1:16-CV-2526</b>
	:	
<b>Plaintiff</b>	:	<b>(Chief Judge Conner)</b>
	:	
v.	:	
	:	
<b>DANIEL SCHILKE,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

AND NOW, this 18th day of October, 2017, upon consideration of the motion (Doc. 27) to dismiss filed April 14, 2017 by defendant Daniel Schilke (“Schilke”) pursuant to Federal Rule of Civil Procedure 12(b)(6), and further upon consideration of plaintiff Graham Engineering Corporation’s second amended complaint (Doc. 46) filed October 17, 2017, and the court noting that an amended pleading supersedes the original “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. 2015), and the court thus finding that the second amended complaint renders the first amended complaint a nullity, it is hereby ORDERED that:

1. Schilke’s motion (Doc. 27) to dismiss is DENIED as moot and without prejudice.
2. Schilke shall respond to the second amended complaint (Doc. 46) 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