UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

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| TSC, Inc., Plaintiff, v. Amerisure Mutual Insurance Company, and Peerless Insurance Company, Defendants. | C/A No.: 6:14-cv-02285-GRA **ORDER** (Written Opinion) |

This matter comes before the Court on Defendant Peerless Insurance Company's ("Defendant") Motion for Summary Judgment relative to the above-referenced matter. In addition, TSC, Inc. ("Plaintiff") has filed a Motion for a 30-Day Extension of Certain Deadlines which, in part, requests additional time to respond to the Defendant's Motion for Summary Judgment. For the reasons stated herein, both of these motions are DISMISSED as moot.

Defendant Peerless Insurance Company brought a Motion for Summary Judgment pursuant to Rule 56(c) of the Federal Rules of Civil Procedure on August 8, 2014. ECF No. 13. On August 13, 2014, the Plaintiff sought, and was granted, a 14-day Extension of Time to File Response/Reply to the Motion for Summary Judgment. ECF No. 15. The Plaintiff then filed a Motion for Second Amended Scheduling Order requesting "60 additional days to explore settlement of the Underlying Lawsuit and this case before having to respond to the deadlines under the current Amended Scheduling Order, the next of which is Plaintiff's response to Defendant Peerless'

Motion for Summary Judgment, which is due Monday, September 8, 2014." ECF No. 20. This Court denied the Motion on September 3, 2014. ECF No. 21. The Plaintiff thereafter filed a Motion for 30-Day Extension of *Certain* Deadlines. ECF No. 22. This motion was pending before the Court on September 5, 2014, when Plaintiff filed a Stipulation of Dismissal of Defendant Peerless Insurance Company Without Prejudice. ECF No. 23.

The Stipulation of Dismissal renders moot the Defendant's Motion for Summary Judgment and the Plaintiff's Motion for 30-Day Extension of Certain Deadlines. *See, e.g., Young v. City of Mount Ranier,* 238 F.3d 567, 573 (4th Cir. 2001) ("The general rule…is that an amended pleading supersedes the original pleading, rendering the original pleading of no effect."); *Hall v. Int'l Union, United Auto., Aerospace & Agric. Implement Workers of Am., UAW,* No. 3:10-cv-418-RJC-DSC, 2011 WL 4014315, at *1 (W.D.N.C. June 21, 2011) (explaining that an "[a]mended complaint renders the defendants' pending motions to dismiss that are related to the superseded complaint as moot."); *Colin v. Marconi Commerce Sys. Employees' Retirement Plan*, 335 F.Supp.2d 590, 614 (M.D.N.C. 2004) ("Defendants' earlier motion for summary judgment as to one count of first amended complaint rendered moot by filing of plaintiff's second amended complaint."). Accordingly, due to the Stipulation of Dismissal that was filed on September 5, 2014, these two motions are now moot.

**IT IS THEREFORE ORDERED** that Defendant's Motion for Summary Judgment and Plaintiff's Motion for 30-Day Extension of Certain Deadlines are DISMISSED as MOOT.

**IT IS SO ORDERED.**

G. Ross Anderson, Jr.
Senior United States District Judge

September 8, 2014
Anderson, South Carolina