

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>LUCY WOLFE,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 3:16-cv-00770</b>
	)	<b>Judge Crenshaw/Knowles</b>
<b>WILLIAMSON MEDICAL CENTER,</b>	)	
	)	
<b>Defendant.</b>	)	

**REPORT AND RECOMMENDATION**

This matter is before the Court upon Defendant’s “Rule 12(b)(6) Motion to Dismiss.” Docket No. 5. Since the filing of the instant Motion, Plaintiff has filed an Amended Complaint pursuant to Fed. R. Civ. P. 15(a)(1)(B). Docket No. 7-1. The instant Motion to Dismiss pertains to Plaintiff’s original Complaint, which is no longer the operative Complaint in this action.

For the foregoing reasons, the instant Motion to Dismiss (Docket No. 5) should be DENIED.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985),

*reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.

Handwritten signature of E. Clifton Knowles in black ink.

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E. CLIFTON KNOWLES  
United States Magistrate Judge