

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

MELISSA MITCHELL,

Plaintiff,

v.

No. 16-2384

ELI LILLY AND COMPANY and  
BOEHRINGER INGELHEIM  
PHARMACEUTICALS, INC.,

Defendants.

---

ORDER DISMISSING AS MOOT MOTIONS TO DISMISS OF DEFENDANT  
BOEHRINGER INGELHEIM PHARMACEUTICALS, INC.

---

Before the Court are the motions of the remaining Defendant in this matter, Boehringer Ingelheim Pharmaceuticals, Inc., to dismiss the original and first amended complaints of the Plaintiff, Melissa Mitchell. (Docket Entries (“D.E.s”) 28 & 47.) On February 9, 2017, Plaintiff filed a second amended complaint. (D.E. 56.) When a plaintiff files an amended complaint, the new pleading supersedes all previous complaints and controls the case going forward. *See Parry v. Mohawk Motors of Mich., Inc.*, 236 F.3d 299, 306-07 (6th Cir. 2000). For this reason, and for purposes of docket management, the pending motions to dismiss the superseded complaints are DENIED as moot. *See Beijing Fito Med. Co., Ltd. v. Wright Med. Tech., Inc.*, No. 2:15-cv-02258-JPM-tmp, 2016 WL 502109, at \*1 (W.D. Tenn. Feb. 8, 2016) (where amended complaint had been filed, motion to dismiss original complaint rendered moot); *Ky. Press Ass’n, Inc. v. Ky.*, 355 F. Supp. 2d 853, 857 (E.D. Ky. 2005) (same).

IT IS SO ORDERED this 15th day of February 2017.

s/ J. DANIEL BREEN  
CHIEF UNITED STATES DISTRICT JUDGE