

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Sep 12, 2018

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

CYNTHIA HARVEY, individually  
and on behalf of all others similarly  
situated,

Plaintiff,

v.

CENTENE MANAGEMENT  
COMPANY LLC and  
COORDINATED CARE  
CORPORATION,

Defendants.

No. 2:18-CV-00012-SMJ

**ORDER DENYING AS MOOT  
DEFENDANTS' MOTION TO  
DISMISS FIRST AMENDED  
COMPLAINT**

Before the Court is Defendants' Motion to Dismiss First Amended Complaint, ECF No. 44. On August 29, 2018, the parties filed their Federal Rule of Civil Procedure 15(a)(2) Stipulation to File Second Amended Complaint. ECF No. 47. Plaintiff filed her Second Amended Complaint the same day. ECF No. 48. An amended complaint completely supersedes an earlier complaint, rendering the latter non-existent. *Jackson v. Fong*, 870 F.3d 928, 934 (9th Cir. 2017); *Rhodes v. Robinson*, 621 F.3d 1002, 1005 (9th Cir. 2010). Having reviewed the pleadings and the file in this matter the Court is fully informed, without need for oral argument, and concludes Defendants' request to dismiss Plaintiffs' earlier complaint is moot.


ORDER DENYING AS MOOT DEFENDANTS' MOTION TO DISMISS FIRST  
AMENDED COMPLAINT - 1

1 Accordingly, **IT IS HEREBY ORDERED:**

- 2 **1.** Defendants' Motion to Dismiss First Amended Complaint, **ECF No.**  
3 **44**, is **DENIED AS MOOT**, and all dates and deadlines associated  
4 with that motion are **STRICKEN**.
- 5 **2.** Defendants may file additional dispositive motions any time before the  
6 dispositive motion deadline.

7 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and  
8 provide copies to all counsel.

9 **DATED** this 12th day of September 2018.

10   
11 SALVADOR MENDOCZA, JR.  
12 United States District Judge