

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-00236-REB-MEH

CIVIL RIGHTS EDUCATION AND ENFORCEMENT CENTER, on behalf of its members, and
MARGARET DENNY, on behalf of herself and a proposed class of similarly situated persons,

Plaintiffs,

v.

SAGE HOSPITALITY RESOURCES, LLC,

Defendant.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on May 1, 2015.

In light of the filing of the Amended Complaint (docket #29), Defendant's Motion to Dismiss [filed March 24, 2015; docket #23] is **denied as moot**. See *Franklin v. Kansas Dep't of Corr.*, 160 F. App'x 730, 734 (10th Cir. 2005) ("An amended complaint supersedes the original complaint and renders the original complaint of no legal effect.") (citing *Miller v. Glanz*, 948 F. 2d 1562, 1565 (10th Cir. 1991)); see also *Robinson v. Dean Foods Co.*, No. 08-cv-01186-REB-CBS, 2009 WL 723329, at *4 (D. Colo. Mar. 18, 2009) (citation omitted) ("Generally, when an amended complaint is filed, the previous complaint is wiped out and the operative complaint is the most recently filed version.").

Briefing on Defendant's renewed motion to dismiss will proceed in accordance with D.C. Colo. LCivR 7.1(d) and all applicable federal and local rules.