

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

RILEY GAINES, et al.,

Plaintiffs,

v.

**NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION, et al.,**

Defendants.

CIVIL ACTION FILE

NO. 1:24-CV-1109-MHC

ORDER

Presently before the Court is Defendants' Unopposed Joint Motion for Extension of Time [Doc. 63], seeking an extension to respond to the Amended Complaint [Doc. 64] and for the parties to complete their Early Planning Conference, submit their Joint Preliminary Report and Discovery Plan, and exchange Initial Disclosures.

Furthermore, on June 5, 2024, State Defendants¹ and Defendant National Collegiate Athletic Association filed their respective motions to dismiss Plaintiffs'

¹ The State Defendants consist of University System of Georgia, Georgia Institute of Technology, University of Georgia, University of North Georgia, Ángel Cabrerra, Doug Aldridge, Tom Bradbury, Richard "Tim" Evans, W. Allen Gudenrath, Erin Hames, Bárbara Rivera Holmes, Samuel D. Holmes, C. Thomas Hopkins, Jr., MD, James M. Hull, Cade Joiner, Patrick C. Jones, C. Everett

original complaint [Doc. 54 and 55]. On June 26, 2024, Plaintiffs filed their Amended Complaint. “An amended pleading supersedes the former pleading; the original pleading is abandoned by the amendment, and is no longer a part of the pleader’s averments against his adversary.” Dresdner Bank, A.G. v. M/V Olympia Voyager, 463 F.3d 1210, 1215 (11th Cir. 2006) (internal punctuation and citation omitted). Because Plaintiffs have amended their complaint (making the Amended Complaint the operative complaint in this case), Defendants’ Motions to Dismiss are moot. See also Gulf Coast Recycling, Inc. v. Johnson Controls, Inc., No. 8:07-CV-2143-T-30TBM, 2008 WL 434880, at *1 (M.D. Fla. Feb. 14, 2008) (“The filing of the amended complaint renders Defendants’ earlier filed Motion to Dismiss moot.”).

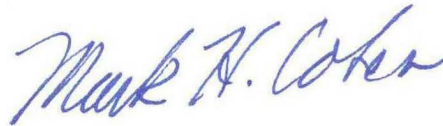
Accordingly, it is hereby **ORDERED** that State Defendants’ Motion to Dismiss [Doc. 54] and Defendant National Collegiate Athletic Association’s Motion to Dismiss [Doc. 55] are **DENIED AS MOOT**.

It is further **ORDERED** that Defendants’ Unopposed Joint Motion for Extension of Time [Doc. 63] is **GRANTED**. The Court hereby **EXTENDS** the deadlines as follows:

Kennedy, III, Sarah-Elizabeth Langford, Rachel B. Little, Lowery Houston May, Jose R. Perez, Neil L. Pruitt, Jr., Harold Reynolds, Sachin Shailendra, T. Dallas Smith, Mat Swift, James K. Syfan, III, Don L. Waters, and John Does 26-50.

1. Defendants' Deadline to respond to the Amended Complaint: July 24, 2024.
2. Plaintiffs' Deadline to file Briefs in Opposition to any Motions to Dismiss: September 23, 2024.
3. Defendants' Deadline to file Reply Briefs in Support of any Motions to Dismiss: October 14, 2024.
4. Deadline to complete the Early Planning Conference: within 14 days of Defendants' respective answers to the Amended Complaint (if necessary).
5. Deadline to submit Joint Preliminary Report and Discovery Plan: within 30 days of Defendants' respective answers to the Amended Complaint (if necessary).
6. Deadline to exchange Initial Disclosures: within 30 days of Defendants' respective answer to the Amended Complaint (if necessary).

IT IS SO ORDERED this 27th day of June, 2024.



MARK H. COHEN
United States District Judge