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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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United States of America,

No. CV 09-1729-PHX-MHM

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Plaintiff,

ORDER

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vs.

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Mark Nicholson, et al,

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Defendants.

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The Court is in receipt of the United States' Motion to Amend Complaint (Dkt.#19), which seeks to add Speedy's Convenience, Inc. as a defendant in this matter. The original Complaint was filed on August 20, 2009 (Dkt.#1). Defendants filed an Answer on October 7, 2009 (Dkt.#9). Under Rule 15(a), after a responsive pleading has been served, a party may amend the complaint "only with the opposing party's written consent or the court's leave." Here, Defendants have stated that they have no objection to the amended complaint (Dkt.#20). Therefore, the first condition of Rule 15(a)(2) ("the opposing party's written consent") is satisfied. American States Ins. Co. v. Dastar Corp., 318 F.3d 881, 888 (9th Cir. 2003) (explaining that parties who consent to amendment need not obtain a court's approval). As such, it is hereby ordered GRANTING Plaintiff's Motion to Amend (Dkt.#19).

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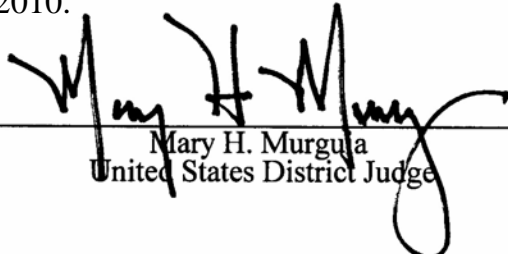
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DATED this 9th day of February, 2010.

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Mary H. Murgula
United States District Judge