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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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Andrew Bryans,

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No. CV10-0928 PHX DGC

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Plaintiff,

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vs.

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ORDER

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Nationwide Credit Corporation,

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Defendant.

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On April 27, 2010, Plaintiff Andrew Bryans filed a complaint against Defendant Nationwide Credit, Inc. Dkt. #1. On June 4, 2010, Plaintiff filed a stipulation of dismissal with prejudice of his complaint against Nationwide Credit, Inc. because “he named the wrong Defendant.” Dkt. ##10, 11 at 2. On June 14, 2010, Plaintiff filed a motion for leave to file an amended complaint to name the proper Defendant. Dkt. #11.

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Rule 15 of the Federal Rules of Civil Procedure declares that courts should “freely give leave [to amend] when justice so requires.” Fed. R. Civ. P. 15(a). The Supreme Court has instructed that “this mandate is to be heeded.” *Foman v. Davis*, 371 U.S. 178, 182 (1962). In deciding this motion, the Court ““must be guided by the underlying purpose of Rule 15 – to facilitate decision on the merits rather than on the pleadings or technicalities.”” *Eldridge v. Block*, 832 F.2d 1132, 1135 (9th Cir. 1987) (citation omitted). “Thus, ‘Rule 15’s policy of favoring amendments to pleadings should be applied with extreme liberality.’” *Id.* This liberality “is not dependent on whether the amendment will add causes of action or parties.” *DCD Programs, LTD. v. Leighton*, 833 F.2d 183, 186 (9th Cir. 1987).

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