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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Paul Short and Barbara Short, a married
10 couple,

11 Plaintiffs,

12 vs.

13 Chase Home Finance LLC; and John and
14 Jane Doe, a married couple,

15 Defendants.

No. CV-11-133-PHX-DGC

ORDER

16 Defendant Chase Home Finance LLC has filed a motion to dismiss the complaint
17 pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. Doc. 6. In response,
18 Plaintiffs have filed a motion for leave to file an amended complaint pursuant to Rule 15.
19 Doc. 7.

20 Rule 15 makes clear that the Court “should freely give leave [to amend] when
21 justice so requires.” Fed. R. Civ. P. 15(a)(2). This policy in favor of leave to amend
22 must not only be heeded, *Foman v. Davis*, 371 U.S. 178, 182 (1962), it must be applied
23 with extreme liberality, *Owens v. Kaiser Foundation Health Plan, Inc.*, 244 F.3d 708,
24 880 (9th Cir. 2001). This liberality “is not dependent on whether the amendment will add
25 causes of action or parties.” *DCD Programs, Ltd. v. Leighton*, 833 F.2d 183, 186 (9th
26 Cir. 1987).

27 Pursuant to Rule 15(a)(2), and in the interests of justice, the Court will grant the
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1 motion for leave to amend. Plaintiffs shall file the proposed amended complaint (*see*
2 Doc. 7-1) by March 25, 2011. The motion to dismiss the original complaint will be
3 denied as moot.

4 **IT IS ORDERED:**

5 1. Plaintiffs' motion for leave to file an amended complaint (Doc. 7) is
6 **granted.**

7 2. Plaintiffs shall filed the proposed amended complaint (*see* Doc. 7-1) by
8 **March 25, 2011.**

9 3. Defendant's motion to dismiss the original complaint (Doc. 6) is **denied** as
10 moot.

11 Dated this 15th day of March, 2011.

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16 David G. Campbell
17 United States District Judge
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