

1 **WO**

2

3

4

5

6

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

7

8

AC Baumgartner,

No. CV-11-1283-PHX-FJM

9

Plaintiff,

ORDER

10

vs.

11

12

Brachfeld Law Group PC,

13

Defendant.

14

15

The court has before it plaintiff's motion for leave to file an amended complaint (doc. 14). Defendant has not responded to the motion and the time for doing so has expired.

16

17

Plaintiff filed his complaint on June 28, 2011 against Brachfeld Law Group, alleging violations under the Fair Debt Collection Practices Act, 15 U.S.C. § 1692. Plaintiff alleges that on September 30, 2011, after filing his complaint, defendant placed a phone call to plaintiff directly, attempting to negotiate a settlement, notwithstanding defendant's knowledge that plaintiff was represented by counsel. Plaintiff now seeks leave to amend the complaint to add an additional violation of 15 U.S.C. § 1692c(a)(2) of the FDCPA, which prohibits a debt collector from communicating with a consumer who is represented by counsel with respect to such debt.

18

19

IT IS ORDERED GRANTING plaintiff's motion for leave to amend (doc. 14). The clerk is instructed to file the lodged amended complaint.

20

21

DATED this 30th day of November, 2011.

22

Frederick J. Martone
Frederick J. Martone
United States District Judge