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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

9 Allyson Kesley, et al.,

10 Plaintiffs,

11 v.

12 Entertainment U.S.A., Inc., d/b/a Christie's
13 Cabaret, et al.,

14 Defendants.

No. CV-14-01105-PHX-NVW

ORDER

15 Before the Court is Plaintiffs' oral motion, made in conference yesterday, for leave
16 to amend their Complaint by naming one or more additional representatives for the
17 conditionally certified Fair Labor Standards Act collective (*see* Doc. 92) and the
18 proposed Rule 23 class (*see* Doc. 154). The only current representative—La'Shaunta
19 Cooper—is not a suitable representative because she has not filed tax returns for the last
20 six years. (Doc. 164-2 at 7.)


21 The original deadline for amending pleadings was June 19, 2015. (Doc. 145 at 1.)
22 But leave to amend should be freely given when justice so requires. Fed. R. Civ. P.
23 15(a)(2). Here, the amendment would merely substitute representatives for an already-
24 existing collective and an already-proposed class, so Defendants would suffer little
25 prejudice. Further, the need for amendment was discovered as the case developed, so
26 Plaintiffs' diligence is not in question.

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IT IS THEREFORE ORDERED that Plaintiffs' oral motion for leave to amend their Complaint by naming one or more additional representatives for the conditionally certified collective and the proposed class is granted. Plaintiffs shall file the further amended complaint by October 9, 2015.

Dated this 2nd day of October, 2015.


Neil V. Wake
United States District Judge