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

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Henry Thompson,

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No. CV-10-8009-PHX-DGC

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Plaintiff,

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ORDER

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vs.

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Apache County, a local governmental
entity; Michael Whiting, in his official
and personal capacities; and Joyclynn
Whiting,

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Defendants.

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Plaintiff has filed a timely motion for leave to file a second amended complaint pursuant to Rule 15 of the Federal Rules of Civil Procedure. Doc. 31. No response has been filed, and the time for filing one has expired. LRCiv 7.2(c); Fed. R. Civ. P. 6(d).

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Rule 15 makes clear that the Court “should freely give leave [to amend] when justice so requires.” Fed. R. Civ. P. 15(a)(2). The policy in favor of leave to amend must not only be heeded, *see Foman v. Davis*, 371 U.S. 178, 182 (1962), it must be applied with extreme liberality, *see Owens v. Kaiser Foundation Health Plan, Inc.*, 244 F.3d 708, 880 (9th Cir. 2001). 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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Pursuant to Rule 15(a)(2), and in the interest of justice, the Court will grant Plaintiff leave to file a second amended complaint.

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IT IS ORDERED:

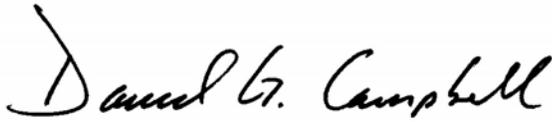
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- 1. Plaintiff’s motion to amend complaint (Doc. 31) is **granted**.

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2. Plaintiff shall file the proposed second amended complaint (*see* Doc. 31-1) by
December 30, 2010.

DATED this 22nd day of December, 2010.



David G. Campbell
United States District Judge