

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

JEFF COTNER

PLAINTIFF

v.

Case No. 2:10-CV-02129

FOREST OIL CORPORATION

DEFENDANT

**O R D E R**

Currently before the Court is Plaintiff's Motion to Amend Complaint (doc. 8). Plaintiff seeks to amend his complaint to include a breakdown of the charges to Plaintiff's account he contends were withheld from his royalty check. Leave to amend should be freely given when justice so requires. Fed. R. Civ. P. 15(a)(2). The Court, being well and sufficiently advised, finds that the Motion should be **GRANTED**. Plaintiff is directed to immediately file his amended complaint, and Defendant shall have ten (10) days from the date of its filing to file any response. Further, the Motion to Dismiss (doc. 2) filed by Defendant in connection with Plaintiff's original complaint is DENIED AS MOOT.

IT IS SO ORDERED this 10<sup>th</sup> day of September 2010.

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*/s/ Robert T. Dawson*

Honorable Robert T. Dawson  
United States District Judge