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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MONICA M. MASON,)	CV 10-6675-RSWL (VBKx)
)	
Plaintiff,)	Order Re: Motion for
)	Leave to File First
v.)	Amended Complaint
)	
)	
)	
PEPSICO, INC.; and DOES 1-)	
10,)	
)	
Defendants)	
)	
)	

Plaintiff's Motion for Leave to File First Amended Complaint was set for hearing on December 22, 2010. Having taken the matter under submission on December 15, 2010, and having reviewed all papers submitted pertaining to this Motion, the Court **NOW FINDS AND RULES AS FOLLOWS:**

Plaintiff's Motion for Leave to File First Amended Complaint is **GRANTED.**

1 Federal Rule of Civil Procedure 15(a) provides that
2 once the time frame to amend a pleading as a matter of
3 course has lapsed, a party may amend its pleading only
4 by obtaining leave of the court. FRCP 15(a); Lone Star
5 Ladies Invest. Club v. Schlotzskys Inc., 238 F.3d 363,
6 367 (5th Cir. 2001). Leave shall be freely given when
7 justice so requires. FRCP 15(a). Courts consider the
8 following factors that alone, or in combination, may
9 justify denying a motion for leave to amend: undue
10 prejudice to the opposing party, undue delay, bad faith
11 or dilatory motive, futility of amendment, and whether
12 the movant has previously amended a pleading. See
13 Eminence Capital, LLC v. Aspeon, Inc., 316 F.3d 1048,
14 1051 (9th Cir. 2003).

15 The Court finds that on balance, the above
16 mentioned factors weigh in favor of granting
17 Plaintiff's present request for Leave. Defendant will
18 not be unduly prejudiced in granting Leave here in
19 order for Plaintiff to add parties to this Action, as
20 the Action is in the beginning stages of litigation and
21 adding the proposed parties here will not affect the
22 Court's jurisdiction. Plaintiff did not delay in
23 bringing this proposed Amendment, and there is no
24 evidence that Plaintiff acted with bad faith or
25 dilatory motive here. Finally, Plaintiff has not
26 previously amended any pleading in this Action.

27 Accordingly, the Court **GRANTS** Plaintiff'S Motion
28 for Leave to File First Amended Complaint. Plaintiff

1 shall file her First Amended Complaint within twenty
2 days of this Order.

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DATED: January 13, 2011

IT IS SO ORDERED.

RONALD S.W. LEW

HONORABLE RONALD S.W. LEW
Senior, U.S. District Court Judge