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United States District Court
Central District of California

SEOUL SEMICONDUCTOR CO., LTD.,

Plaintiff,

v.

CURTIS INTERNATIONAL, LTD.,

Defendant.

Case No. 2:14-cv-09466-ODW(VBKx)

**ORDER TO SHOW CAUSE RE:
OBJECTIONS TO DEFENDANT'S
REQUEST FOR LEAVE TO AMEND
ITS ANSWER**

Defendant Curtis International, Ltd. (“Curtis”) filed a motion for leave to amend its answer on November 9, 2015.¹ (ECF No. 94.) Where the deadline for amending a pleading has passed, the party seeking leave to amend must show “good cause” as to why such leave should be granted. *Johnson v. Mammoth Recreations*, 975 F.2d 604, 609 (9th Cir. 1992). As per Federal Rule of Civil Procedure 15(a)(2), leave to amend should be granted where “justice so requires.”

Based on Curtis’s request papers, it is clear that Plaintiff Seoul Semiconductor objects to the filing of an amended answer to include a new affirmative defense. (ECF

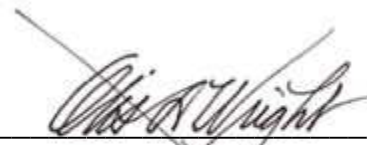
¹ Under Federal Rule of Civil Procedure 15(a)(2), a party may amend a pleading only with the support of the opposing party or by leave of the Court. Since it is clear from Curtis’s papers that Plaintiff Seoul Semiconductor does not lend its support, Curtis is asking for leave to amend its Answer. Such a request is merely that—a request—and therefore it was improper for Curtis to file this request as a Motion.

1 No. 94) While the consent of the opposing party is not required for the Court to grant
2 leave to file an amended pleading, in light of Plaintiff's objections the Court will hear
3 any objections to Curtis's request before rendering its decision.

4 Therefore, the Court hereby **ORDERS** Plaintiff Seoul Semiconductor **TO**
5 **SHOW CAUSE**, in writing, by **November 24, 2015**, why this Court should not grant
6 Curtis's request for leave to amend its Answer to include a new affirmative defense.
7 No hearing will be held. All other dates and deadlines in this action **REMAIN** on
8 calendar.

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10 **IT IS SO ORDERED.**

11 November 10, 2015

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14 **OTIS D. WRIGHT, II**
15 **UNITED STATES DISTRICT JUDGE**
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