

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

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Case No.	2:15-cv-05642-CAS (JCx)	Date	November 1, 2016
Title	MARCUS GRAY; ET AL. V. KATHERYN ELIZABETH HUDSON; ET AL.		

Present: The Honorable	CHRISTINA A. SNYDER		
Catherine Jeang	Not Present	N/A	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
Not Present	Not Present		

Proceedings: (IN CHAMBERS) - PLAINTIFFS’ MOTION FOR LEAVE TO FILE THIRD AMENDED COMPLAINT (Filed September 27, 2016, Dkt. 158)

The Court is in receipt of plaintiffs’ motion for leave to file a Third Amended Complaint (“TAC”), which was filed on September 27, 2016. Dkt. 158. It appears that plaintiffs’ original motion was noticed for the incorrect hearing date. However, on September 28, 2016, plaintiffs filed an amended motion which provided notice that the hearing would take place on November 7, 2016, at 10:00am. Dkt. 161.

The Court finds this motion appropriate for decision without oral argument. Fed.R.Civ.P. 78; Local Rule 7–15. Accordingly, the hearing date of November 7, 2016, is vacated, and the matter is hereby taken under submission.

On September 7, 2016, the Court extended the deadline for seeking leave to amend pleadings and add parties from July 31, 2016, until September 30, 2016. Dkt. 156. Plaintiffs’ TAC appears to add several parties to the complaint. The defendants do not oppose plaintiffs’ motion, but have nonetheless filed a “response.” Dkt. 164-65. It appears that the parties dispute claims made in the factual background to plaintiffs’ memorandum. See Defendant’s Response, Dkt. 164 (Defendants do not oppose the motion, but “find it necessary to submit this brief statement to correct certain

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misstatements in Plaintiffs’ motion”). The present motion does not appear to require any resolution of the parties’ factual dispute, which appears to relate to discovery.

Plaintiffs’ motion is governed by Federal Rule of Civil Procedure 15. Federal Rule of Civil Procedure 15(a) provides that leave should be “freely” given. In light of the Court’s previous order extending the deadline to seek leave to amend the pleadings, the November 7, 2016, hearing date is vacated and plaintiffs’ motion for leave is **GRANTED**. The Clerk shall file the proposed TAC, Dkt. 158-1, forthwith.

IT IS SO ORDERED.

Initials of Preparer 00 00
CMJ