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United States District Court  
Central District of California

JAMES STEWART et al.,

Plaintiffs,

v.

CITY OF LOS ANGELES et al.,

Defendants.

Case № 2:17-cv-08073-ODW (SSx)

**ORDER GRANTING PLAINTIFFS’  
MOTION FOR LEAVE TO FILE A  
FIRST AMENDED COMPLAINT  
[38]**

On August 30, 2018, Plaintiffs James Stewart, Rachel Stewart, J.H.S., Z.L.S., Z.A.S., and J.G.S. moved for leave to file a First Amended Complaint, proposing to add the County of Los Angeles as a defendant and to add clearly identified causes of action against unidentified County employees. (ECF No. 38.) Plaintiff set the motion to be heard on October 15, 2018, and thus any opposition was due no later than September 24, 2018. *See* C.D. Cal. L.R. 7-9. To date, Defendant has filed no opposition. The failure to file a timely opposition may be deemed consent to the granting of a motion. C.D. Cal. L.R. 7-12; *Ghazali v. Moran*, 46 F.3d 52, 54 (9th Cir. 1995).

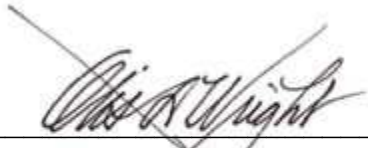
After carefully considering the moving papers, the Court deems the matter appropriate for decision without oral argument. Fed. R. Civ. P. 78(b); C.D. Cal.

1 L.R. 7-15. The Court finds Plaintiffs have shown good cause to amend the complaint  
2 pursuant to Rule 15(a)(2) and *Foman v. Davis*, 371 U.S. 178 (1962) and hereby  
3 **GRANTS** Plaintiff’s Motion. (ECF No. 38.)

4 The Court **ORDERS** that the First Amended Complaint filed as Exhibit A to  
5 the Declaration of K. Chike Odiwe shall be deemed filed as of the date of this Order,  
6 pursuant to Local Rule 15-3. C.D. Cal. L.R. 15-3 (“An amended pleading allowed by  
7 order of the Court shall be deemed served upon the parties who have previously  
8 appeared on the date the motion to amend is granted.”) Plaintiffs shall serve any new  
9 parties added in their First Amended Complaint in accordance with applicable law.

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11 **IT IS SO ORDERED.**

12  
13 October 1, 2018

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17 **OTIS D. WRIGHT, II**  
18 **UNITED STATES DISTRICT JUDGE**