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8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10 RICHARD LEON, JR.,
 11 Plaintiff(s),

v.

12 TRI COUNTIES BANK,
 13 Defendant(s).

Case No. 2:12-CV-01529-JAM-AC

**ORDER GRANTING DEFENDANT'S
 MOTION FOR LEAVE TO FILE A
 SECOND AMENDED ANSWER**

Time: 9:30 a.m.
 Date: March 26, 2014
 Courtroom: 6
 Judge: Hon. John A. Mendez

Action Filed: June 7, 2012

16 Defendant Tri Counties Bank's Motion for Leave to File a Second Amended
 17 Answer came on regularly for hearing before this Court on March 26, 2014 at 9:30 a.m.,
 18 the Honorable John A. Mendez presiding. Richard Rogers, Esq. of the Law Office of
 19 Richard M. Rogers appeared for Plaintiff Richard Leon and Carrie Bushman, Esq. of
 20 Cook Brown LLP appeared for Defendant Tri Counties Bank. After consideration of the
 21 briefs and arguments of counsel, and all other matters presented to the Court, the Court
 22 rules as follows:

23 Given Federal Rule of Civil Procedure 15(a)(2)'s language that a party can amend
 24 its pleadings and that the cases interpreting the rule have indicated that the court should
 25 freely give leave when justice so requires, that courts are to grant leave with extreme
 26 liberality once a moving party demonstrates why the amendment is required and there is
 27 at least some factual basis to support the proposed amendment, and this court's finding
 28

**[PROPOSED] ORDER GRANTING LEAVE TO
 FILE A SECOND AMENDED ANSWER**

1 that there is no prejudice in allowing the answer to be amended to include a mixed
2 motive affirmative defense and there is at least some factual basis for the amendment, IT
3 IS HEREBY ORDERED that Defendant's Motion for Leave to File a Second Amended
4 Answer is GRANTED.

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6 DATED: April 7, 2014

/s/ John A. Mendez
United States District Court Judge

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