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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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GARY TAYLOR,

 Plaintiff,

 v.

DEFENSE FINANCE & ACCOUNTING
SERVICE; UNITED STATES OF
AMERICA; DAVID S. BALDWIN;
HARRY M. WYATT III; MARK
GROVES; TERESA MCKAY; DOES
ONE through TEN,

 Defendants.

NO. CIV. 2:12-2466 WBS DAD

ORDER RE: MOTION FOR LEAVE TO
FILE A SECOND AMENDED COMPLAINT

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 In a separate Order, this court granted summary
judgment on each of plaintiff's four remaining claims in this
action. (Docket No. 62.) Plaintiff now moves for leave to file
an amended complaint. (Docket No. 49.) Because the court's
summary judgment Order resolved every claim at issue in this
case, it would be inappropriate to permit amendment at this
 juncture. See, e.g., Nguyen v. United States, 792 F.2d 1500,

1 1503 (9th Cir. 1986) ("A court will ordinarily be reluctant to
2 allow leave to amend to a party against whom summary judgment has
3 been entered." (citing C. Wright, A. Miller, & M. Kane, Federal
4 Practice & Procedure § 2712 (2d ed. 1983)); Schlacter-Jones v.
5 Gen. Tel. of Cal., 936 F.2d 435, 443 (9th Cir. 1991), abrogated
6 on other grounds by Cramer v. Consol. Freightways, Inc., 255 F.3d
7 683 (9th Cir. 2001) ("A motion for leave to amend is not a
8 vehicle to circumvent summary judgment.").

9 As the court made clear in its Order granting summary
10 judgment, plaintiff is free to bring any other claim that the
11 court has not disposed of in its summary judgment Order in a
12 separate action.

13 IT IS THEREFORE ORDERED that plaintiff's motion for
14 leave to amend be, and the same hereby is, DENIED.

15 Dated: January 2, 2014

16 

17 **WILLIAM B. SHUBB**
18 **UNITED STATES DISTRICT JUDGE**