

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LEVI STRAUSS & CO.,

No. C 07-0910 SI

Plaintiff,

v.

**ORDER GRANTING PLAINTIFF'S
MOTION FOR LEAVE TO FILE FIRST
AMENDED COMPLAINT AND
DENYING PLAINTIFF'S MOTION FOR
PARTIAL SUMMARY JUDGMENT**

ESPRIT US DISTRIBUTION, LTD.,

Defendant.

Plaintiff's motion for leave to file a first amended complaint is GRANTED. [Docket No. 51] Federal Rule of Civil Procedure 15(a) provides that leave to amend a pleading should be freely given. Here, the factors the Ninth Circuit uses in assessing a motion for leave to amend weigh in favor of granting leave. Moreover, in pursuit of efficiency and resource conservation, it is in the interest of both parties and the Court to resolve highly similar and related claims in a single proceeding.

Plaintiff's motion for partial summary judgment is DENIED. Plaintiff is not entitled to partial summary judgment on its claim holding defendant jointly and severally liable for any breach of the 2004 Settlement Agreement because there are several issues of disputed fact regarding the obligations created by this agreement.

A status conference is scheduled for **February 22, 2008 at 2:30 p.m.**, at which the Court will consider whether to amend the scheduling order in light of the First Amended Complaint..

IT IS SO ORDERED.

Dated: February 6, 2008



SUSAN ILLSTON
United States District Judge