1 2 3 4 5 6 7 IN THE UNITED STATES DISTRICT COURT 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA 9 10 C 08-3228 VRW KEN LEWIS, No 11 Plaintiff, ORDER 12 v 13 THE CCPOA BENEFIT TRUST FUND; 14 et al, 15 Defendants. 16 17 18 The court is in receipt of a letter from counsel for 19 plaintiff requesting permission to amend the proposed third amended 20 21 complaint. Doc #89. Plaintiff is given leave to serve and file on or before 22 September 4, 2009, a motion to amend further his compliant. 23 the motion for leave, counsel for plaintiff should explain why a 24 25 further amendment would not result in: (1) undue delay and (2) prejudice to the defendants. Counsel for plaintiff should also 26 explain why amendment would not prove futile. 27 28 11

For the Northern District of California **United States District Court** 

In

United States District Court For the Northern District of California

I

1	Defendants should serve and file any response to the
2	motion within ten days of plaintiff's motion, whereupon the matter
3	will be submitted.
4	
5	IT IS SO ORDERED.
6	Mulh
7	Man
8	VAUGHN R WALKER United States District Chief Judge
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19 20	
20 21	
21	
22	
23 24	
25	
26	
27	
28	
	2