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

6 LANDMARK AMERICAN INSURANCE
7 COMPANY, an Oklahoma Stock Company,

No. C 10-03687 WHA

8 Plaintiff,

9 v.

**ORDER REGARDING
SECOND AMENDED
ANSWER AND
COUNTERCLAIM**

10 ANGOTTI & REILLY, INC., a California
11 Corporation; ALEXANDER GROUP LLC,
12 a limited liability company, BLUE RIVER
SEAFOOD INC., a California Corporation,
and CHRISTOPHER H. LAM,

13 Defendants.

14 AND RELATED COUNTERCLAIMS
15

16 On May 17, plaintiff's counsel filed a stipulation and proposed order to permit defendant
17 Angotti & Reilly, Inc. to file a second amended answer and counterclaim. All parties agreed to
18 the stipulation (Dkt. No. 33). FRCP 15(a)(2) provides that a party may amend its pleading "with
19 the opposing party's written consent *or* the court's leave" (emphasis added). The stipulation is
20 sufficient to permit Angotti & Reilly to file its amended pleading. The proposed order need not
21 and shall not be signed. Counsel are advised, however, that the amended pleading must be
22 properly filed as an independent docket entry — merely attaching it as an exhibit to the
23 stipulation does not give it effect.

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25 **IT IS SO ORDERED.**

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27 Dated: May 17, 2011.

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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE