

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

PATRICK SANTIAGO, ROBERT SCHUSSEL,
etc., et al.,

No. C 10-04317 SI

Plaintiffs,

**ORDER GRANTING DEFENDANT'S
MOTION FOR LEAVE TO AMEND THE
ANSWER**

v.

AMDOCS, INC., and DOES 1 through 50,
inclusive,

Defendants.

Defendant has moved, pursuant to Federal Rule of Civil Procedure 15(a), for leave to amend its answer to plaintiffs' third amended complaint. Defendant seeks to add, as its thirty-fourth affirmative defense, the doctrine of release. Plaintiffs oppose the motion arguing bad faith, undue delay, prejudice, previous amendment, and futility of amendment. The Court does not find that defendant has engaged in bad faith or undue delay, that amendment would significantly prejudice the named or unnamed plaintiffs, or that defendant has previously amended its answer.

Plaintiffs have raised substantial questions concerning whether such an amendment would be futile, either as to the FLSA claims or as to California state law claims. However, the Court is unable to find, at this point, that the amendment would be futile as to all asserted claims. Resolution of those questions must await further factual and legal amplification of the record.

For these reasons, the Court to GRANTS defendant's motion for leave to amend its answer pursuant to Fed. R. Civ. P. 15(a). **The amended answer must be filed by March 21, 2012.**

IT IS SO ORDERED.

Dated: March 16, 2012



SUSAN ILLSTON
United States District Judge