

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

MARSHAL ROTHMAN,

No. C 13-3381 MMC

Plaintiff,

**ORDER GRANTING IN PART AND  
DENYING IN PART PLAINTIFF'S  
MOTION TO AMEND**

v.

U.S. BANK NATIONAL ASSOCIATION,

Defendant.

Before the Court is plaintiff Marshal Rothman's ("Rothman") Motion for Leave to File Third Amended Complaint, filed April 25, 2014. Defendant U.S. Bank National Association ("U.S. Bank") has filed opposition, to which Rothman has replied. The matter came on regularly for hearing on May 30, 2014. Randolph Gaw of the Gaw Group appeared on behalf of Rothman. Eric M. Alderete appeared on behalf of U.S. Bank.

The Court having read and considered the parties' respective written submissions and considered the arguments of counsel, the motion is, for the reasons stated on the record at the hearing, hereby GRANTED in part and DENIED in part, as follows.

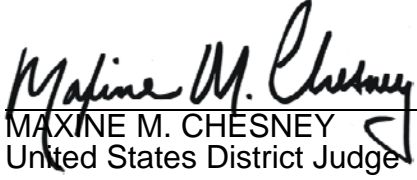
1. To the extent Rothman seeks leave to add his proposed Eighth Cause of Action ("Libel"), the motion is DENIED.
2. In all other respects, the motion is GRANTED; Rothman may file the remainder of his proposed Third Amended Complaint, and, further, may include in support of his proposed Sixth Cause of Action ("Fair Credit Reporting Act") and Ninth Cause of Action ("Fraud") additional allegations to cure the deficiencies discussed at the hearing.

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3. Rothman's Third Amended Complaint shall be filed no later than June 13, 2014.

**IT IS SO ORDERED.**

Dated: May 30, 2014

  
MAXINE M. CHESNEY  
United States District Judge