

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DONGXIAO YUE,  
Plaintiff,  
v.  
GAOGAO HAN, et al.,  
Defendants.

Case No. 15-cv-03463-HSG

**ORDER GRANTING MOTION FOR  
LEAVE TO FILE SECOND AMENDED  
ANSWER AND COUNTERCLAIM**

Re: Dkt. No. 85

On July 16, 2016, Defendant Gaogao Han filed a motion for leave to file a second amended answer and counterclaim. Dkt. No. 85 (“SAA”). Defendant Han represents that his SAA will correct typographical errors and clarify his statements made in the first amended answer and counterclaim. Id. at 1. On July 20, 2016, Plaintiff Dongxiao Yue filed a notice of non-opposition to the filing of the SAA. Dkt. No. 88.

Under Federal Rule of Civil Procedure 15, a party may amend its pleading within 21 days of service or “with the opposing party’s written consent or the court’s leave.” Leave to amend “shall be freely given when justice so requires.” *AmerisourceBergen Corp. v. Dialysist W., Inc.*, 465 F.3d 946, 951 (9th Cir. 2006) (citation and quotation marks omitted).

Given that the SAA is unopposed, the Court finds that granting leave to file the SAA will serve the interests of justice. The hereby Court GRANTS Defendant Han’s motion for leave to file the SAA.


//  
//  
//  
//

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

The Court reminds the parties that going forward, they should meet and confer in advance to determine whether there is a genuine dispute that necessitates motion practice.

**IT IS SO ORDERED.**

Dated: 7/22/2016

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge