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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

HOOPA VALLEY TRIBE,  
Plaintiff,  
v.  
NATIONAL MARINE FISHERIES  
SERVICE, et al.,  
Defendants.

Case No. [16-cv-04294-WHO](#)

**ORDER GRANTING MOTION FOR  
LEAVE TO FILE SECOND AMENDED  
COMPLAINT**

Dkt. No. 68

Plaintiff Hoopa Valley Tribe filed a Motion for Leave to file a Second Amended Complaint, pursuant to Federal Rules of Civil Procedure, Rule 15(a)(2). Dkt. No. 68. The Federal Defendants and the Intervenor-defendants do not oppose the motion. Dkt No. 83; Dkt. No. 84; Dkt. No. 85.

Federal Rule 15(a)(2) states that “courts should freely give leave when justice so requires.” Fed. R. Civ. P. 15(a)(2). Plaintiff seeks leave to amend its Fourth Claim for Relief to add the Bureau of Reclamation (“Bureau”) as a defendant on that claim. Mot. at 5. Plaintiff’s proposed amendment is based on new representations, from the Federal Defendants, that the Bureau has not reinitiated consultation as plaintiff’s previously belief. Dkt. No. 60 at 13. Plaintiff’s proposed amendment is reasonable, was timely made, is unlikely to cause any prejudice to the defendants or delay the proceedings in this case, and is not opposed.

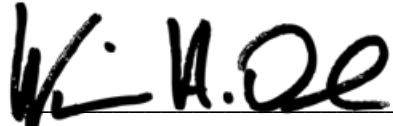
Plaintiff’s Motion to Amend is GRANTED. Plaintiff may file its Second Amended

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Complaint in this action and any such filing shall relate back to the date of the originally filed  
Complaint in this action.

**IT IS SO ORDERED.**

Dated: December 21, 2016



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WILLIAM H. ORRICK  
United States District Judge