

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

SOFTWARE RESEARCH, INC.,
Plaintiff,
v.
SEAPINE SOFTWARE, INC.,
Defendant.

Case No. [16-cv-07353-EMC](#)

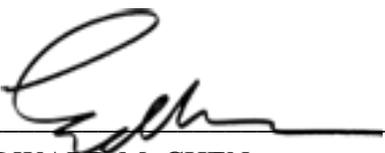
**ORDER RE JOINT LETTER OF APRIL
20, 2017**

Docket No. 40

The Court has reviewed the parties' joint letter of April 20, 2017. Having considered the contents of the letter, as well as all other evidence of record, the Court hereby rules as follows. Plaintiff's motion for leave to amend – *i.e.*, to add Perforce Software Inc. ("PSI") (the parent company) as a defendant – is **GRANTED**. Under Federal Rule of Civil Procedure 15, a "court should freely give leave [to amend] when justice so requires." Fed. R. Civ. P. 15(a)(2). Here, there has been no undue delay by Plaintiff in seeking amendment. Moreover, there is no indication of bad faith on the part of Plaintiff, futility of amendment, or prejudice to Defendant. *See generally Johnson v. Buckley*, 356 F.3d 1067, 1077 (9th Cir. 2004); *Bowles v. Reade*, 198 F.3d 752, 758 (9th Cir. 1999). While Defendant and PSI are willing to provide a declaration, that does not render amendment nugatory or unnecessary.

IT IS SO ORDERED.

Dated: April 24, 2017


EDWARD M. CHEN
United States District Judge