

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
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO/OAKLAND DIVISION

DAVID OSTER, *et al.*,

Plaintiffs,

v.

WILL LIGHTBOURNE, Director of the California
Department of Social Services; TOBY DOUGLAS,
Director of the California Department of Health Care
Services; CALIFORNIA DEPARTMENT OF HEALTH
CARE SERVICES; and CALIFORNIA DEPARTMENT
OF SOCIAL SERVICES,

Defendants.

Case No. CV 09-04668 CW

~~PROPOSED~~ ORDER GRANTING
PLAINTIFFS' MOTION FOR
LEAVE TO FILE THIRD
AMENDED COMPLAINT

1 Plaintiffs' Motion for Leave to File Third Amended Complaint, Docket Number 323, is
2 GRANTED. The Court finds that the amendment is proper under Rule 15(a). Fed. R. Civ. P.
3 15(a). The proposed amendments are neither futile nor made in bad faith. The filing of the
4 Third Amended Complaint will not result in delay or prejudice to Defendants. Accordingly, it is
5 ordered that Plaintiffs may efile the Third Amended Complaint forthwith. Due to administrative
6 error this order was not efiled as intended on December 1, 2011. The Third Amended Complaint
7 is deemed filed as of that date. However, five calendar days are added to Defendants' time to
8 respond.

9
10
11 IT IS SO ORDERED:

12
13 DATED: 12/6/2011



The Honorable Claudia Wilken
United States District Judge