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3 UNITED STATES DISTRICT COURT  
4 NORTHERN DISTRICT OF CALIFORNIA  
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8 LISETTE ADAMS, *et al.*,

9 Plaintiffs,

10 v.

11 CITY AND COUNTY OF SAN FRANCISCO, *et al.*,

12 Defendants.


Case No.: 13-CV-4689 YGR

ORDER STRIKING PLEADING

13 The Court **STRIKES** Plaintiffs' Second Amended Complaint, filed on January 2, 2014. (Dkt.  
14 No. 25 ("SAC").) Under Federal Rule of Civil Procedure 15(a), a party is permitted to amend a  
15 pleading once as a matter of course, but thereafter "may amend its pleading only with the opposing  
16 party's written consent or the court's leave." Here, Plaintiffs filed their initial complaint on October  
17 9, 2013 (Dkt. No. 1), and, consistent with Rule 15(a)(1)(A), amended their complaint as a matter of  
18 course twenty-one days later, on November 1, 2013 (Dkt. No. 11 ("FAC")). Defendants answered  
19 the FAC on December 16, 2013 (Dkt. No. 19), and filed an amended answer the following day,  
20 December 17, 2013 (Dkt. No. 20). On January 2, 2014, without seeking leave of the Court or filing  
21 a stipulation or other memorandum of Defendants' written consent to amendment, Plaintiffs filed  
22 the SAC. The SAC, having been filed in contravention of Rule 15, is without legal effect and is  
23 hereby **STRUCK**. The FAC remains the operative complaint in this case. Defendants need not  
24 answer the SAC. Nothing in this Order bars Plaintiffs from further seeking amendment of the FAC  
25 consistent with Rule 15. The Clerk shall strike Docket No. 25 from the record.

26 **IT IS SO ORDERED.**

27 Date: January 7, 2014

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YVONNE GONZALEZ ROGERS  
UNITED STATES DISTRICT COURT JUDGE