

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SAM FERRIS,)	Case No.: 11-cv-01752-LHK
)	
Plaintiff,)	ORDER DENYING PLAINTIFF'S
v.)	MOTION FOR ADDITIONAL TIME TO
)	FILE A FIRST AMENDED
CITY OF SAN JOSE, et al.,)	COMPLAINT
)	
Defendants.)	
)	
)	

On November 16, 2011, the Court issued an Order granting the City of San Jose and San Jose Chief of Police's Motion to Dismiss and granting the County of Santa Clara's Motion to Dismiss. *See* ECF No. 33. The Court granted Plaintiff leave to amend, but specifically held that Plaintiff may not add new causes of action or parties without leave of the Court or stipulation of the parties. *See id.* at 21. Also on November 16, 2011, the Court issued a Minute Order and Case Management Order instructing the parties to exchange limited initial disclosures pursuant to Federal Rule of Civil Procedure 26(f) within 14 days of that Order. *See* ECF No. 34. Pursuant to the Minute Order and Case Management Order, the Parties' initial disclosures should have been exchanged by November 30, 2011.

Before the Court is Plaintiff's unopposed Motion for Additional Time to File a Rule 15(a)(2) Motion and for Additional Time to File a First Amended Complaint. Plaintiff requests seven days after receiving Defendants' initial disclosures to file a Rule 15(a)(2) motion,

1 presumably seeking leave of the Court to raise “additional legal cases/issues . . . as well as minor
2 factual matters.” Mot. at 2. Plaintiffs requests seven days after the Court rules on his anticipated
3 Rule 15(a)(2) motion to file his First Amended Complaint.

4 Pursuant to the November 16, 2011 Order Granting Defendants’ Motions to Dismiss,
5 Plaintiff must file a First Amended Complaint, if any, within 21 days of the date of that Order,
6 which is December 7, 2011. *See* ECF No. 33 at 21. The current deadline is already seven days
7 after Plaintiff should have received Defendants’ initial disclosures. Accordingly, the Court does
8 not find good cause for granting Plaintiff’s request for an extension of time to file a First Amended
9 Complaint and therefore DENIES Plaintiff’s motion. If Defendants have not complied with the
10 Court’s November 16, 2011 Minute Order and Case Management Order, Plaintiff may bring such
11 matter to the Court’s attention, at which point the Court may reconsider Plaintiff’s request.
12 Plaintiff’s First Amended Complaint, if any, remains due December 7, 2011. Plaintiff is free to
13 allege additional facts relevant to his claims but shall not add any new causes of action or parties.
14 Should Plaintiff wish to add new causes of action or parties, he may separately file a Rule 15(a)(2)
15 motion.

16 **IT IS SO ORDERED.**

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18 Dated: December 5, 2011

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20 LUCY H. KOH
21 United States District Judge
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