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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

RANGANATH SARASWATI,

Plaintiff,

vs.

COUNTY OF SAN DIEGO and DOES 1-
20,

Defendant.

CASE NO. 07cv1415 WQH (POR)
ORDER

HAYES, Judge:

The matter before the Court is the Motion to File First Amended Complaint (Doc. # 20) filed by Plaintiff Ranganath Saraswati.

On August 3, 2007, Plaintiff initiated this action by filing the complaint (Doc. # 1). On January 30, 2009, Plaintiff filed the Motion to File First Amended Complaint (“Motion to Amend”). Plaintiff requests leave to amend the complaint in order to “add[] factual allegations relating to” a hearing before the County’s Health and Human Services Administration, which took place on October 8, 2008. *Mot. to Amend*, p. 2. Plaintiff states that “[n]o new defendants or causes of action are added - simply additional factual allegations are pled based on acts that occurred since the time of the filing of the original Complaint and which relate directly to Plaintiff’s original claims.” *Id.* Defendants have not filed an opposition to the Motion to Amend.


1 Rule 15 of the Federal Rules of Civil Procedure mandates that leave to amend “be freely
2 given when justice so requires.” Fed. R. Civ. P. 15(a). This policy is applied with
3 “extraordinary liberality.” *Morongo Band of Mission Indians v. Rose*, 893 F.2d 1074, 1079
4 (9th Cir. 1990). Once an answer to the complaint has been filed, as is the case here, courts
5 may deny leave to amend where the proposed amendment would be futile, where it is sought
6 in bad faith, where it will create undue delay, or where “undue prejudice to the opposing party
7 will result.” *Howey v. United States*, 481 F.2d 1187, 1190 (9th Cir. 1973); *see also Johnson*
8 *v. Mammoth Recreations, Inc.*, 975 F.2d 604, 607 (9th Cir. 1992); *Saul v. United States*, 928
9 F.2d 829, 843 (9th Cir. 1991).

10 Having reviewed the Motion and the supporting documents, and having received no
11 opposition from Defendants, the Court **GRANTS** the Motion to File First Amended Complaint
12 (Doc. # 20) filed by Plaintiff Ranganath Saraswati. Plaintiff shall file a First Amended
13 Complaint within thirty (30) days of the date of this Order.

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15 DATED: March 2, 2009

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WILLIAM Q. HAYES
United States District Judge

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