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CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 NICHOLAS DECK, Individually and on  
12 Behalf of All Others Similarly Situated,

Plaintiff,

13 vs.

14 MIRAMAR FEDERAL CREDIT UNION,  
15 FLIGHTDECK FINANCIAL SERVICES,  
16 LLC, and DOES 1-10, inclusive,

Defendants.  
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Case NO. 10-CV-2340 BEN (POR)

**ORDER GRANTING JOINT  
MOTION FOR LEAVE TO FILE  
FIRST AMENDED ANSWER**

[Doc. # 17]

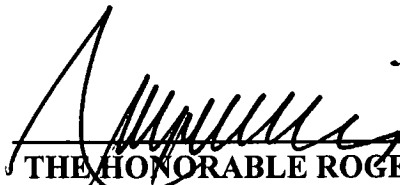
20 Defendant Miramar Federal Credit Union and Plaintiff Nicholas Deck jointly move ("Joint  
21 Motion")<sup>1</sup> the Court for leave for Defendant to file a first amended answer. Pursuant to Federal  
22 Rule of Civil Procedure 15(a)(2) and in light of Plaintiff's written consent, the Joint Motion is  
23 **GRANTED**. The Clerk shall file Attachment # 1 to the Joint Motion as Defendant Miramar  
24

25 <sup>1</sup> The Court notes that the parties failed to observe CIVLR 7.2(b), which requires  
26 stipulations seeking court approval to be filed as "joint motions." Because this is the parties' first  
27 infraction, the Court shall construe their stipulation as a joint motion. But, in the future,  
28 noncompliant filings may be stricken. *See* 8 FED. PROC., L. ED. § 20:658 (2011) ("Valid rules of  
practice adopted by the United States district courts have the force and effect of law and are  
binding upon the parties and the court which promulgated them until they are changed in the  
appropriate manner."); *Simmons v. Navajo Cnty, Ariz.*, 609 F.3d 1011, 1017 (9th Cir. 2010)  
("District courts have broad discretion in interpreting and applying their local rules.") (quoting  
*Miranda v. S. Pac. Transp. Co.*, 710 F.2d 516, 521 (9th Cir. 1983)).

1 Federal Credit Union's First Amended Answer.

2 **IT IS SO ORDERED.**

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4 Dated: 3/30, 2011

  
THE HONORABLE ROGER T. BENITEZ  
UNITED STATES DISTRICT JUDGE

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