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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 Zohal Abdurahman,

11 Plaintiff,

12 v.

13 Alltran Financial, LP,

14 Defendant.

Case No.: 17-cv-1080-AJB-BLM

**ORDER GRANTING JOINT
MOTION TO AMEND ANSWER
(Doc. No. 15)**

15 The parties filed a joint motion for leave to amend defendant Alltran Financial LP's
16 answer to remove its bona fide error defense without prejudice. (Doc. No. 15 at 1.) For the
17 reasons stated below, the Court **GRANTS** this motion.

18 Leave to amend under Rule 15(a)(2) "should [be] freely give[n] . . . when justice so
19 requires." Fed. R. Civ. P. 15(a)(2). The Ninth Circuit "has noted on several occasions . . .
20 that the Supreme Court has instructed the lower federal courts to heed carefully the
21 command of Rule 15(a), . . . by freely granting leave to amend when justice so requires."
22 *DCD Programs, Ltd. v. Leighton*, 833 F.2d 183, 186 (9th Cir. 1987) (noting "the underlying
23 purpose of Rule 15—to facilitate decision on the merits rather than on the pleadings or
24 technicalities."). "This policy is 'to be applied with extreme liberality.'" *Eminence Capital,
25 LLC v. Aspeon, Inc.*, 316 F.3d 1048, 1051 (9th Cir. 2003) (quoting *Owens v. Kaiser Found.
26 Health Plan, Inc.*, 244 F.3d 708, 712 (9th Cir. 2001)).

27 The parties do not supply any factual reasons in support of their petition for leave to
28 amend. Thus, the Court cannot analyze whether justice would require amendment, whether

1 bad faith is afoul, or other considerations such as undue delay. However, because the
2 motion is a joint one, and is for the limited purpose of removing one defense from the
3 answer, the Court will grant leave to amend for that narrow purpose only. Alltran is
4 **ORDERED** to submit, as an exhibit to its amended answer, a redline version of its
5 amended answer with the bona fide error defense—and nothing else—removed. The
6 amended answer is due by **December 14, 2017**. The Court instructs any future amendment
7 motions to contain factual and legal arguments in favor of the requested amendment.

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9 **IT IS SO ORDERED.**

10 Dated: December 8, 2017


11 Hon. Anthony J. Battaglia
12 United States District Judge
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