

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Senior Judge Zita L. Weinshienk

Civil Action No. 08-cv-01959-ZLW-MEH

NORFOLK SOUTHERN RAILWAY COMPANY,

Plaintiff,

v.

SUPERLOADS, INC.,

Defendant.

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ORDER

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The matter before the Court is Plaintiff's Motion For Leave Of Court To File A Second Amended Complaint Pursuant To Fed. R. Civ. P. 15(a) (Doc. No. 27). The Court has determined that this motion can be resolved on the parties' briefs without a hearing.

The Scheduling Order deadline for amendment of pleadings in this case was January 5, 2009. Plaintiff filed the present motion to amend on January 23, 2009. Although, generally, leave to amend pleadings shall be freely granted when justice so requires,<sup>1</sup> Plaintiff has not shown good cause to amend its pleading after the Scheduling Order deadline pursuant to Fed. R. Civ. P. 16(b)(4). Accordingly, it is

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<sup>1</sup>See Fed. R. Civ. P. 15(a).

ORDERED that Plaintiff's Motion For Leave Of Court To File A Second Amended Complaint Pursuant To Fed. R. Civ. P. 15(a) (Doc. No. 27) is denied.

DATED at Denver, Colorado, this 20<sup>th</sup> day of March, 2009.

BY THE COURT:

A handwritten signature in black ink, reading "Zita L. Weinsienk". The signature is written in a cursive style with a horizontal line underneath it.

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ZITA L. WEINSHIENK, Senior Judge  
United States District Court