

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00724-WDM-MEH

AMERICAN FAMILY MUTUAL INSURANCE COMPANY,

Plaintiff,

v.

DENVER HASLAM,
COMMERCIAL CAPITAL, INC.,
MIKEL MEWBOURN,
M&B DEVELOPMENT GROUP, INC.,
FALL RIVER VILLAGE COMMUNITIES, LLC,
ONEWEST BANK, FSB, and
DEUTSCHE BANK NATIONAL TRUST COMPANY,

Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on May 7, 2009.

Plaintiff's Motion to Amend Complaint to Substitute Correct Defendants [filed May 7, 2009; docket #12] is **denied as moot**. Pursuant to Fed. R. Civ. P. 15(a)(1)(A), "[a] party may amend its pleading once as a matter of course . . . before being served with a responsive pleading." Thus, Plaintiff need not seek permission from the Court to file its First Amended Complaint.

The Clerk of the Court is directed to file the First Amended Complaint for Declaratory Judgment found at docket #12-3. Pursuant to Fed. R. Civ. P. 15(a)(3), Defendants shall respond to the First Amended Complaint within 10 days after service of the pleading.