

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

Civil Action No. 09-cv-00799-ZLW-KLM

GRANITE SOUTHLANDS TOWN CENTER LLC,

Plaintiff,

v.

ALBERTA TOWN CENTER, LLC and
LAND TITLE GUARANTEE COMPANY,

Defendants.

ORDER

The matter before the Court is Plaintiff's First Amended Complaint, filed September 4, 2009 (Doc. No. 29). Pursuant to Fed. R. Civ. P. 15, a party may amend a pleading without Court order either before being served with a responsive pleading or with the opposing party's written consent.¹ Defendants have filed responsive pleadings in this case,² and have not consented in writing to the proposed amended pleading. Plaintiff did not, however, file a motion for leave to amend the Complaint. Magistrate Judge Mix's August 21, 2009, Minute Order extending the deadline for amending pleadings did not dispose of the requirements of Fed. R. Civ. P. 15. Accordingly, it is

¹See Fed. R. Civ. P. 15(a)(1)(A), (a)(2).

²See Doc. Nos. 6, 7,

ORDERED that Plaintiff's First Amended Complaint (Doc. No. 29) is stricken.

DATED at Denver, Colorado this 8th day of September, 2009.

BY THE COURT:

A handwritten signature in black ink, reading "Zita L. Weinsienk". The signature is written in a cursive style with a large, stylized "Z" and "L".

ZITA L. WEINSHIENK, Senior Judge
United States District Court