

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 Unopposed Motion For Leave To Amend Complaint And Join Additional Parties (Doc. No. 32). The Court has determined that the motion can be resolved on the papers without a hearing.

The Scheduling Order deadline for amendment of pleadings in this case was September 4, 2009. Plaintiff filed the present motion to amend on September 9, 2009. Although Fed. R. Civ. P. 15(a)(2) provides that leave to amend pleadings shall be freely granted when justice so requires, if a party seeks to amend its pleading after the Scheduling Order deadline, the party first must show good cause for the late amendment under Fed. R. Civ. P. 16(b)(4) before establishing that the requirements of Rule 15(a)(2) have been met.¹ Plaintiff's motion does not address or meet the Rule

¹See Ingle v. Dryer, 2008 WL 1744337 (D. Colo. April 11, 2008).

16(b)(4) standard. Nonetheless, because it appears that Defendants have no objection to the present motion or the proposed amendment, it is

ORDERED that Plaintiff's Unopposed Motion For Leave To Amend Complaint And Join Additional Parties (Doc. No. 32) is granted. It is

FURTHER ORDERED that Plaintiff shall file Plaintiff's First Amended Complaint, attached as Exhibit A to Plaintiff's motion, as a separate document on or before September 29, 2009.

DATED at Denver, Colorado, this 16th 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 initial "Z".

ZITA L. WEINSHIENK, Senior Judge
United States District Court