

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-00974-REB-KLM

OJORE N. LUTALO,

Plaintiff,

v.

NATIONAL RAILROAD PASSENGER CORPORATION ("AMTRAK"),
LENINOVA FAYDO, in her official and individual capacities, and
JAMES BULLERWELL, II, in his official and individual capacities,

Defendants.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Plaintiff's **Unopposed Motion for Leave to File Third Amended Complaint** [Docket No. 60; Filed April 3, 2012] (the "Motion"). Plaintiff seeks leave to amend the Second Amended Complaint to "properly word the assertion of jurisdiction under 28 U.S.C. § 1332 so as to specifically state that the court has jurisdiction over the **state** claims under that statute." *Motion* [#60] at 1-2. Plaintiff also seeks to withdraw his *Bivens* claim against Defendant Amtrak. *See id.* at 2. Plaintiff asserts that Defendants do not oppose these modifications. *See id.*

IT IS HEREBY **ORDERED** that the Motion [#60] is **GRANTED**.

IT IS FURTHER **ORDERED** that the Court accepts Plaintiff's Third Amended Complaint [#60-1] for filing as of the date of this Minute Order. Defendants shall answer or otherwise respond **on or before April 13, 2012**.

Dated: April 4, 2012