

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 13-cv-00545-CMA-KMT

RASHANNA MARSHALL,

Plaintiff,

v.

EXELIS SYSTEMS CORPORATION,
EXELIS, INC., and
LAWRENCE LINDLOFF,

Defendants.

MINUTE ORDER

ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA

“Plaintiff’s Partially Unopposed Motion for Leave to Amend Complaint and Jury Demand” (Doc. No. 23, filed May 31, 2013) is GRANTED, pursuant to Fed. R. Civ. P. 15(a)(2). To the extent Defendant Exelis, Inc., seeks to impose a condition that the plaintiff’s amendment require Defendant Exelis, Inc., to be dismissed with prejudice, that matter is not properly before the court. Moreover, the defendant has failed to argue or show that the plaintiff should not be allowed to amend under Fed. R. Civ. P 15(a), which allows the court to freely allow amendment of the pleadings “when justice so requires,” or that the amendment should not be allowed due to “undue delay, undue prejudice to the opposing party, bad faith or dilatory motive, failure to cure deficiencies by amendments previously allowed, or futility of amendment.” *Frank v. U.S. West, Inc.*, 3 F.3d 1357, 1365 (10th Cir. 1993). The Clerk is directed to file the “Amended Complaint and Jury Demand” (Doc. No. 23-1).

Dated: June 7, 2013