

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-00686-WYD-MEH

ELF-MAN, LLC,

Plaintiff,

v.

JOHN DOES 1-85,

Defendants.

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**MINUTE ORDER**

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**Entered by Michael E. Hegarty, United States Magistrate Judge, on August 19, 2013.**

Plaintiff's Motion for Leave to File and Serve First Amended Complaint Naming Doe Number 1 [[filed August 18, 2013; docket #17](#)] and Plaintiff's Amended Motion for Leave to File and Serve Corrected First Amended Complaint Naming Doe Number 1 [[filed August 19, 2013; docket #19](#)] are **denied as moot**. Pursuant to Fed. R. Civ. P. 15(a)(1), a party may amend once as a matter of course within "(B) ... 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier." Because no answer or other response has been filed in this case, the Plaintiff is permitted to amend its pleading once **without seeking leave of court**. Therefore, the Plaintiff may file a first amended complaint in this action so long as it is filed no later than 21 days after an answer or other response pursuant to Rule 12(b), (e) or (f) has been served.