

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-01211-WJM-MJW

PRISCILLA P. HAMILTON,

Plaintiff,

v.

FARMERS INSURANCE GROUP and  
BARTHOLOMEW O. BAAH,

Defendants.

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MINUTE ORDER

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Entered by Magistrate Judge Michael J. Watanabe

Plaintiff has moved for leave to file a second amended complaint. (Docket No. 29.) The purpose of the amendment is to identify the correct insurance companies in this car-accident case.

As set forth in this Court's October 29, 2014, Report & Recommendation (Docket No. 28), Plaintiff cannot state a claim directly against Defendant Baah's insurers; she has a claim only against Defendant Baah. (See Docket No. 28, p.3 & n.1.) The proposed amendment is therefore futile.

That said, District Judge William J. Martinez has not yet adopted the Report & Recommendation. Accordingly, it is hereby ORDERED that:

- Plaintiff's motion for leave to file a second amended complaint (Docket No. 29) is DENIED WITHOUT PREJUDICE; and
- If Judge Martinez overrules the Report & Recommendation, finding that Plaintiff can properly state a claim against Defendant Baah's insurer, the Court will entertain a renewed motion for leave to file a second amended complaint.

Date: November 17, 2014

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