

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-00521-WJM-MJW

CIVILITY EXPERTS WORLDWIDE,

Plaintiff,

v.

MOLLY MANNERS, LLC,

Defendant.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that Plaintiff's Motion for Leave to Amend (Docket No. 34) is GRANTED for the following reasons.

Federal Rule of Civil Procedure 15 governs the amendment of pleadings. Here, Plaintiff must seek the Court's leave to file an Amended Complaint. Fed. R. Civ. P. 15(a). "The court should freely give leave when justice so requires." *Id.* at 15(a)(2). "The purpose of the Rule is to provide litigants 'the maximum opportunity for each claim to be decided on its merits rather than on procedural niceties.'" *Minter v. Prime Equip. Co.*, 451 F.3d 1196, 1204 (10th Cir. 2006). Thus,

"[i]n the absence of any apparent or declared reason—such as undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, futility of amendment, etc.—the leave sought should, as the rules require, be 'freely given.'"

Id. (quoting *Foman v. Davis*, 371 U.S. 178, 182 (1962)).

Defendant has not shown anything even arguably falling within these grounds for denying leave. To the extent Defendant wishes to challenge the court's personal jurisdiction over the new defendants to be added, those new defendants will have to speak for themselves in their own motion to dismiss under Rule 12(b)(2).

Accordingly, the Court hereby GRANTS Plaintiff's Motion for Leave to Amend (Docket No. 34) and ORDERS Plaintiff to file its Amended Complaint (a clean, non-strikethrough version) on or before June 24, 2015.

Date: June 16, 2015
