

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 15-cv-00774-NYW

DENNIS WATSON,

Plaintiff,

v.

UPS GROUND FREIGHT, INC.,  
ROBERT MANGIONE,  
JOHN GONZALES,  
KENNETH THOMAS,

Defendants.

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**ORDER GRANTING MOTION FOR LEAVE TO FILE AMENDED COMPLAINT**

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Magistrate Judge Nina Y. Wang

This matter comes before the court pursuant to 28 U.S.C. § 636(c)(1) and the Order of Reference Upon Consent to Jurisdiction of Magistrate Judge [#27]. Plaintiff initiated this lawsuit by filing a *pro se* Complaint on April 13, 2015. [#1]. Defendants UPS Ground Freight, Inc., Robert Mangione, John Gonzales, and Kenneth Thomas filed a Motion to Dismiss on September 21, 2015. [#29]. Counsel for Plaintiff entered an appearance on October 6, 2015. [#33]. Plaintiff now seeks leave to amend his Complaint, and Defendants do not oppose. [#44].

Under Rule 15(a)(2) of the Federal Rules of Civil Procedure, leave to amend should be freely given in the interests of justice. Fed. R. Civ. P. 15(a)(2). Plaintiff seeks to amend to dismiss certain claims and more clearly plead the remaining claims. Accordingly, **IT IS ORDERED** that:

- (1) Plaintiff's Motion for Leave to File Amended Complaint [#44] is **GRANTED**;

(2) Plaintiff's proposed Amended Complaint filed as [#45] is **DEEMED ACCEPTED** and must be **SERVED** as contemplated by D.C.COLO.LCivR 15.1(b); and

(3) Defendants' Motion to Dismiss [#29] is **DENIED AS MOOT**.

DATED: November 27, 2015

BY THE COURT:

s/ Nina Y. Wang  
United States Magistrate Judge