

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

AUGUSTUS HEBREW EVANS, JR.,

Plaintiff,

v.

JOHNSON AND JOHNSON COMPANY,
et al.,

Defendants.

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: Civ. No. 14-1316-RGA
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MEMORANDUM ORDER

At Wilmington this 17 day of November, 2017, having considered Plaintiff's amended complaint (D.I. 90);

IT IS ORDERED that the amended complaint (D.I. 90) is STRICKEN, for the reasons that follow:

1. Rule 15 of the Federal Rules of Civil Procedure provides that a party may amend its pleading once as a matter of course within 21 days after serving it, or if the pleading is one to which a responsive pleading is required, 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. Fed. R. Civ. P. 15(a)(1). In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave. Fed. R. Civ. P. 15(a)(2).

2. Local Rule 15.1 provides that a party who moves to amend a pleading shall attach to the motion the proposed pleading as amended, complete with a

handwritten or electronic signature, and a form of the amended pleading which shall indicate in what respect it differs from the pleading which it amends, by bracketing or striking through materials to be deleted and underlining materials to be added.

3. Plaintiff did not seek leave to amend his complaint as required by the Federal Rules of Civil Procedure. Nor did he comply with the Local Rules of this Court.


UNITED STATES DISTRICT JUDGE