

named the wrong corporate entity. He did not address PNC's remaining arguments. ECF No. 9 at 1. Instead, he moved for leave to file an amended complaint, but did not provide a copy of a proposed amended pleading or explain the nature of any proposed amendments. *See* ECF Nos. 9, 16.

Given Winter's concession that he sued the wrong entity, and his failure to respond to PNC's other arguments, the court will grant PNC's motion. *See* Local Civil Rule 7(b).

The court will deny Winter's motion to amend because he did not comply with Local Civil Rule 7(i), which provides that "[a] motion for leave to file an amended pleading shall be accompanied by an original of the proposed pleading as amended." While leave to amend a complaint should be freely given, *Foman v. Davis*, 371 U.S. 178, 182 (1962), the court is unable to assess Winter's proposed amendments because he has not provided an amended pleading. Winter is a licensed attorney, Compl. ¶ 132, and he has not explained his failure to comply with Rule 7(i). Indeed, PNC raised the issue of Winter's Rule 7 violation in its reply brief on May 21, 2021, but Winter did not seek leave to remedy this violation. Accordingly, the court will dismiss this action without prejudice.

Date: July 9, 2021

Tanya S. Chutkan
TANYA S. CHUTKAN
United States District Judge