

In the United States Court of Federal Claims

No. 10-269 C

(Filed August 23, 2010)

ANNE PEARSE-HOCKER,

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Plaintiff,

*

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v.

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THE UNITED STATES,

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Defendant.

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ORDER

Currently before the court is plaintiff’s Consented Motion for Leave to File an Amended Complaint. On August 10, 2010, defendant preemptively filed the government’s answer in response to plaintiff’s proposed first amended complaint. The Clerk’s Office stated that the filing was defective because plaintiff’s motion for leave to file its amended complaint was still pending before the court. Therefore, defendant could not file its answer to the first amended complaint. The matter was referred to the undersigned for a ruling to untangle this procedural morass.

Accordingly, it is hereby **ORDERED** that

- (1) The Clerk’s Office is directed to **STRIKE** defendant’s answer (docket no. 15), filed August 10, 2010, from the subject matter’s docket as of the date of this order;
- (2) Plaintiff’s motion for leave to file an amended complaint is **GRANTED**;
- (3) Plaintiff is directed to **FILE** her **First Amended Complaint** upon

receipt of this order; and

- (4) Promptly following the filing of plaintiff's amended complaint, defendant is directed to **FILE** its **Answer** in this matter.

s/Lynn J. Bush
LYNN J. BUSH
Judge