

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

LYNN KASSEM,

Plaintiff,

v.

Case No: 5:15-cv-623-Oc-30PRL

MATT MARTIN, DEBI CONNOR, DC
SALES & ENTERTAINMENT, LLC and
DC SALES AND MARKETING, LTD,

Defendants.

ORDER

THIS CAUSE comes before the Court on Plaintiff Lynn Kassem's Motion for leave to Amend Complaint. (Doc. 51). Plaintiff initiated this action against Defendants related to the sale of horses that Plaintiff alleges were unfit for her child to ride. (Doc. 1). Defendants answered Plaintiff's complaint (Docs. 38 and 39), and Plaintiff moved to strike all of Defendants affirmative defenses (Docs. 40 and 41). Before the Court ruled on Plaintiff's motion to strike, Plaintiff filed the present motion seeking leave to amend the complaint based on new facts learned of during discovery. (Doc. 51). None of the Defendants responded to the motion for leave to amend.

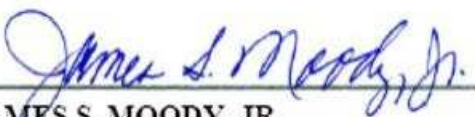
Pursuant to Federal Rule of Civil Procedure 15(a), a "court should freely give leave [to amend] when justice so requires." Leave to amend generally is granted unless there is a significant reason for the amendment's denial. *Pioneer Metals, Inc. v. Univar USA, Inc.*,

168 F. App'x 335, 337 (11th Cir. 2006). Permissible reasons justifying denial are “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 . . ., [and] futility of amendment.” *Id.* (quoting *Foman v. Davis*, 371 U.S. 178, 182 (1962)). The Court finds none of those reasons applicable here and, accordingly, concludes Plaintiff should be permitted to amend her complaint. In the event the Court’s ruling necessitates new case management and scheduling deadlines, the parties are invited to petition the Court to extend the deadlines, and the Court will remain mindful of the latitude granted Plaintiff and the timing of the present ruling.

Accordingly, it is therefore **ORDERED AND ADJUDGED** that:

1. Plaintiff’s Motion for Leave to Amend the Complaint (Doc. 51) is **GRANTED**.
2. The Clerk shall designate the First Amended Complaint (Doc. 51–1) as filed as of the date of this Order.
3. Each Defendant shall have fourteen (14) days to respond to the First Amended Complaint.
4. Plaintiff’s motions to strike (Docs. 40 and 41) are **DENIED** as moot.

DONE and **ORDERED** in Tampa, Florida, this 9th day of November, 2016.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record