

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

HOME DESIGN SERVICES INC,

Plaintiff,

v.

CASE NO.: 4:08-cv-355-SPM/WCS

TURNER HERITAGE HOMES INC, et al.,

Defendant.

_____ /

ORDER GRANTING MOTION FOR LEAVE TO ADD DEFENSE

THIS CAUSE comes before the Court on the Defendants' Motion for Leave to Add Additional Defense (doc. 294) and the Plaintiff's Response in Opposition (doc. 303). Defendants assert that new evidence in support of the additional defense was discovered during the limited second discovery period. Pursuant to Federal Rule of Civil Procedure 15(a)(2), "[t]he court should freely give leave [to amend pleadings] when justice so requires[.]" Thus, the Rules contemplate liberal amendment of pleadings except in extraordinary circumstances. The Court finds that it is in the interest of justice to permit the amendment. Accordingly, it is hereby ORDERED AND ADJUDGED that the

Motion (doc. 294) is GRANTED.

DONE AND ORDERED this thirty-first day of May, 2011.

s/ Stephan P. Mickle
Stephan P. Mickle
Chief United States District Judge