

United States District Court
for the
Southern District of Florida

Ramon Matos, Plaintiff,)
v.)
C.W.C. of Miami Inc. d/b/a Las) Civil Action No. 17-21609-Civ-Scola
Palmas Restaurant and Mario)
Ferrari Magalhaes, Defendants.)

Order Granting Leave to Amend Complaint

Plaintiff Ramon Matos seeks leave from the Court to amend his complaint (ECF No. 31). In accordance with Federal Rule of Civil Procedure 15(a)(2), a party seeking to amend its complaint may do so only with the opposing party's written consent or the court's leave. According to the rule, leave should be freely given when justice so requires. Rule 15(a) reflects a policy of "liberally permitting amendments" and absent a "substantial reason to deny leave to amend" a plaintiff's request should be granted. *Espey v. Wainwright*, 734 F.2d 748, 750 (11th Cir. 1984).

The Court notes that Matos's request for leave is timely under the Court's scheduling order. This is a Fair Labor Standards Act case, and Matos seeks to amend his complaint in order to add a claim for minimum wage violations under Florida Statute § 448.110. Matos's motion indicates that the Defendants oppose the request for leave. However, the Defendants failed to respond to Matos's motion, and the time to do so has passed. In light of Rule 15(a)'s directive that leave to amend be freely given, the Court **grants** Matos's motion (**ECF No. 31**). Matos must file the amended complaint as a separate docket entry on or before September 26, 2017. Pursuant to Rule 15(a)(3), the Defendants must file a response within fourteen days after service of the amended pleading.

Done and ordered in chambers, at Miami, Florida, on September 22, 2017.



Robert N. Scola, Jr.
United States District Judge