

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

LISA SIMPSON,
Plaintiff,

v.

REVCO SOLUTIONS, INC.,
Defendant.

Case No. 22-cv-00483-JPG-1

MEMORANDUM AND ORDER

This matter comes before the Court on Defendant Revco Solutions, Inc. (“Revco” or “Defendant”) Motion to Strike Plaintiff’s Second Amended Complaint. (Doc. 33). Plaintiff Lisa Simpson (“Plaintiff” or “Simpson”) opposes the motion. (Doc. 34).

On December 12, 2022, the Court granted Revco’s Motion to Dismiss under Rule 12(b)(6) and dismissed Plaintiff’s First Amended Complaint (Doc. 32). Then, without requesting leave from the Court, Plaintiff filed a Second Amended Complaint against Revco. As Defendant does not consent to Plaintiff’s request, Plaintiff must seek to amend her complaint pursuant to Fed. R. Civ. P. 15(a)(2), which allows a party to “amend its pleading only with ... the court’s leave.” Here, Defendant does not consent to the amendment. Additionally, Plaintiff did not seek leave from the Court before filing its Second Amended Complaint. Plaintiff’s opposition is not responsive to the reasons in Defendant’s Motion to Strike.

Therefore, the Court **GRANTS** Defendant’s Motion to Strike (Doc. 33) and **DIRECTS** the Clerk of the Court to **STRIKE** Plaintiff’s Second Amended Complaint (Doc. 32).

IT IS SO ORDERED.

Dated: January 17, 2023

/s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE