Fulghum et al v. Embarq Corporation et al Doc. 41

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

WILLIAM DOUGLAS FULGHAM, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 07-2602-KHV
	)	
EMBARQ CORPORATION, et al.,	)	
	)	
Defendants.	)	

ORDER

Pursuant to Fed. R. Civ. P. 15(a), this case comes before the court on the motion of the plaintiffs for leave to amend their complaint to add Kathy Beach Jones as an individual age discrimination plaintiff under the fourth cause of action (**doc. 39**). No timely response has been filed by the defendants.

D. Kan. Rule 7.4 provides "[i]f a respondent fails to file a response within the time required by Rule 6.1(d), the motion will be considered and decided as an uncontested motion, and ordinarily will be granted without further notice." The court considers the instant motion unopposed.

In consideration of the foregoing,

IT IS HEREBY ORDERED:

1. The above-referenced motion (**doc. 39**) is granted.

2. Plaintiffs' amended complaint shall be filed and served by **October 3, 2008**.

Dated this 25th day of September, 2008, at Kansas City, Kansas.

s/James P. O'Hara
James P. O'Hara
U.S. Magistrate Judge

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