

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 17-11982-RGS

JON DUANE

v.

VERMONT MUTUAL INSURANCE CO.

MEMORANDUM AND ORDER ON PLAINTIFF'S OBJECTION
TO THE MAGISTRATE JUDGE'S DENIAL OF A MOTION
TO AMEND THE COMPLAINT

December 7, 2018

STEARNS, D.J.

Because Magistrate Judge Boal's determination that plaintiff Jon Duane has failed to show good cause for a late attempt to amend his Complaint is unassailable, his objection to her Order is overruled. When considerable time has elapsed between the filing of a complaint and the filing of a motion to amend, the movant at the very least has the burden of showing some valid reason for his neglect and delay. *In re Lombardo*, 755 F.3d 1, 3 (1st Cir. 2014); *see also Steir v. Girl Scouts of the USA*, 383 F.3d 7, 12 (1st Cir. 2004) ("Regardless of the context, the longer a plaintiff delays, the more likely the motion to amend will be denied, as protracted delay, with its attendant burdens on the opponent and the court, is itself a sufficient reason

for the court to withhold permission to amend.

ORDER

For the foregoing reasons, Duane's objection is OVERRULED.

SO ORDERED.

/s/ Richard G. Stearns

UNITED STATES DISTRICT JUDGE