

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Kenneth Williams,

Plaintiff,

v.

Case No. 08-14246

Costco Wholesale Corporation,

Honorable Sean F. Cox

Defendant.

ORDER GRANTING
PLAINTIFF'S UNOPPOSED MOTION TO AMEND COMPLAINT

Plaintiff Kenneth Williams ("Plaintiff") filed this action against Defendant Costco Wholesale Corporation ("Defendant") in state court. Defendant removed the action to this Court on October 6, 2008.

On April 23, 2009, Plaintiff filed the instant Motion to Amend Complaint, wherein he seeks to add a claim under the Family Medical Leave Act, 29 U.S.C. § 2601 *et seq.*

This Court held a status conference with the parties on April 29, 2009. The Court then issued a 2nd Scheduling Order in this matter, extending discovery until June 30, 2009, and motion cut-off until July 31, 2009.

Rule 15(a) of the Federal Rules of Civil Procedure states that leave to amend "shall be freely given when justice so requires." A motion to amend, however, should be denied "if the amendment is brought in bad faith, for dilatory purposes, results in undue delay or prejudice to the opposing party, or would be futile." *Crawford v. Roane*, 53 F.3d 750, 753 (6th Cir. 1995). Defendant has not filed a response in opposition to Plaintiff's Motion to Amend and there is no indication that the requested motion is brought in bad faith or for dilatory purposes, or that it

would result in undue delay or prejudice to Defendant.

Accordingly, **IT IS ORDERED** that Plaintiff's Motion to Amend is **GRANTED**.

Plaintiff shall file his amended complaint within seven (7) days of the date of this order.

IT IS SO ORDERED.

s/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: June 12, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 12, 2009, by electronic and/or ordinary mail.

s/Jennifer Hernandez
Case Manager