

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

Charles Lee Thornton, Plaintiff,

Cause No: 4:07CV0079-CDP

Vs.

City of Kirkwood, Defendants.

MEMORANDUM IN SUPPORT OF PLAINTIFF'S  
MOTION FOR LEAVE TO AMEND COMPLAINT

Charles Lee Thornton ("Plaintiff") has requested, pursuant to Rule 15(a) of the Federal of Civil Procedures, leave to amend its Complaint by adding All Defendants names, mistakenly overlooked, causing ET. AL. to be removed on the Original Filing, along with adding an additional count of Failure to Settle with Plaintiff, as well as modifying the amounts sought and prayers for relief of the original counts. In support of its Motion, Plaintiff relies upon Fed.R.Civ.P.15(a), which states that a party may amend its Complaint by leave of court, but that "leave shall be freely given when justice so requires."

Plaintiff filed Complaint on or about January 18, 2007. Defendant filed Entry of Appearance on or about February 26, 2007. Filing of Joint proposed Scheduling Plan shall be no later than March 23, 2007. The

Scheduling Conference pursuant to Rule 16, Fed.R.Civ.P., is set for Friday, March 30, 2007.

Because the case is still in its initial stage, defendants will not be prejudiced by the grant of leave to amend Plaintiff's Complaint. In fact, John Hessel of Lewis, Rice & Fingersh L.C., along with the Mayor, All Council Members and the Chief Administrator, were told of an amendment on March 1, 2007 during their City of Kirkwood Council Meeting. Jami Boyles and John Hessel, of Lewis, Rice & Fingersh L.C., due to John Hessel being a material witness, were told of the amendment at our meeting on March 7, 2007 at their office at 500 North Broadway St. Louis Mo. 63102.

WHEREFORE, Plaintiff, Charles Lee Thornton, respectfully requests that this Court grant its Memorandum in Support of Plaintiff's Motion for Leave to Amend Complaint.

Respectfully submitted,



Charles Lee Thornton, Pro Se  
351 Attucks St.


Kirkwood, Mo. 63122

(314) 486-6471

Date: 3-15-07

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing was served upon Jami L. Boyles of Lewis, Rice & Fingersh, L.C., 500 North Broadway, Suite 2000 St. Louis, Missouri 63102 by U.S. Mail, postage prepaid, on this 15<sup>th</sup> day of March, 2007.

A handwritten signature in cursive script, reading "Charles D. Hunt", is written over a horizontal line.