

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DISTRICT**

CITY OF CHESTERFIELD, MISSOURI,)	
)	
Plaintiff,)	
)	
v.)	No. 4:15-CV-1670 CAS
)	
TRAVELERS CASUALTY AND SURETY)	
COMPANY OF AMERICA, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on defendants Travelers Casualty and Surety Company of America and St. Paul Fire and Marine Insurance Company's motion for leave to file their amended answer and affirmative defenses to plaintiff's first amended complaint. Plaintiff City of Chesterfield, Missouri has not filed a response, and the time for doing so has passed. For the following reasons, the motion will be granted.

Under the case management order, the deadline for filing a motion for leave to amend a pleading was February 12, 2016. Defendants filed their motion on March 4, 2016. Where a party seeks leave to amend its pleading after the deadline in the CMO has passed, Federal Rule of Civil Procedure 16(b)'s good-cause standard applies, not the standard of Rule 15(a). Under Rule 16(b), the party must show good cause in order to be granted leave to amend. Hartis v. Chicago Title Ins. Co., 694 F.3d 935, 948 (8th Cir. 2012); Sherman v. Winco Fireworks, Inc., 532 F.3d 709, 716 (8th Cir. 2008); Popoalii v. Correctional Med. Servs., 512 F.3d 488, 497 (8th Cir. 2008).

Here, defendants seek leave to amend their answer and assert a new affirmative defense based on information gained recently from a review of plaintiff's records produced during

discovery. Defendants state the information pertinent to the amendments was not made available until plaintiff produced records on January 29, 2016. For good cause shown, and without any objection, the Court will grant defendants' motion.

IT IS HEREBY ORDERED defendants Travelers Casualty and Surety Company of America and St. Paul Fire and Marine Insurance Company's motion for leave to file their amended answer and affirmative defenses to plaintiff's first amended complaint is **GRANTED**.

[Doc. 25]

IT IS FURTHER ORDERED that the Clerk of Court shall detach and docket defendants' amended answer and affirmative defenses to plaintiff's first amended complaint, which was submitted as an attachment to the motion for leave.

A handwritten signature in black ink, reading "Charles A. Shaw", with a long horizontal flourish extending to the right.

CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 23rd day of March, 2016.