

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

DAVE CAMPBELL, et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	Case No. 4:17-cv-02390-JAR
BAYLARD, BILLINGTON, DEMPSEY &	)	
JENSEN, P.C., et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM & ORDER**

This matter is before the Court on Plaintiffs' motion for leave to file a supplemental pleading (Doc. No. 227) and certain Woodland Lakes Trusteeship Defendants' motion to allow limited discovery as to phone records (Doc. No. 230).

In their motion for leave to supplement the third amended complaint, Plaintiffs wish to add factual background to the complaint. However, the facts and documents they seek to supplement do not consist of new claims, but rather are evidence in this matter. There is no need to supplement the third amended complaint with evidence at this stage. Plaintiffs may instead submit any evidence in support of their claims in connection with a motion for summary judgment or at trial. *See Watson v. Stovall*, No. 4:12-CV-04028, 2013 WL 5979674, at \*3 (W.D. Ark. Nov. 12, 2013). However, the affidavits and evidence attached to Plaintiff's' motion raise a serious concern of communications taking place between adverse parties. Thus, Defendants' motion for leave conduct limited discovery will be granted.

Accordingly,

**IT IS HEREBY ORDERED** Plaintiffs' motion for leave to file a supplemental pleading (Doc. No. 227) is **DENIED**.

**IT IS FURTHER ORDERED** that, for good cause shown, Defendants' motion to allow

limited discovery as to phone records (Doc. No. 230) is **GRANTED**.

Dated this 17th day of May, 2018.

  
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**JOHN A. ROSS**  
**UNITED STATES DISTRICT JUDGE**