



Accordingly,

IT IS ORDERED:

1. Plaintiff's Motion for Leave to File Amended Complaint (Filing No. 22) is granted;
2. Plaintiff shall file and serve the Second Amended Complaint as a separate document, on or before November 21, 2008;
3. Defendants shall then respond to the Second Amended Complaint within the time allowed by Fed. R. Civ. P. 15(a)(3); and
4. Defendants' Motion to Dismiss and/or Strike (Filing No. 12) is denied as moot.

DATED this 13<sup>th</sup> day of November, 2008.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge