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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

WINDMILL & EASTERN, LLC.,
Plaintiff,
v.
SIMON SHAKIB, an individual and as the trustee of the Nevada K, LLC Defined Pension Plan; et al.,
Defendant.

2:11-cv-1082-LDG-PAL

ORDER

Soon after the court denied without prejudice the previously filed summary judgment motions and ordered the parties to file supplemental briefs regarding the effect of defendant’s bankruptcy (#20), the parties notified the court that defendant’s bankruptcy filing had been withdrawn and the parties re-filed their summary judgment motions. Left pending was defendant’s motion to file an amended answer, counterclaim, and third-party complaint (#21, opposition #23, reply #25). After reviewing the arguments of the parties on the motion to file the amended pleading, the court finds good cause to grant the motion. Furthermore, the amended pleading is timely considering the motions for summary judgment have also been re-filed. Finally, the court will entertain motions to reopen discovery for a limited time if the amended pleading raises new subject matter. Accordingly,

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THE COURT HEREBY ORDERS that defendant's motion to file an amended answer, counterclaim, and third-party complaint (#21) is GRANTED.

THE COURT FURTHER ORDERS that plaintiff's motion for hearing on the first motion for summary judgment (#20) is DENIED as moot.

Dated this 19 day of September, 2012.


Lloyd D. George
United States District Judge