

1 Rule 15(d) does not expressly state if and under what circumstances supplemental pleadings
2 relate back to the original pleading for statute of limitations purposes. However, courts often apply
3 “relation back” principles under Rule 15(c) to supplemental complaints. See United States v. CMA,
4 Inc., 890 F.2d 1070, 1073-74 (9th Cir. 1989). Moreover, when a supplemental complaint “raises
5 claims unrelated to the allegations in the original complaint, or relies on conduct or events different
6 from those pleaded in the original complaint, there is no relation back.” William Inglis & Sons Baking
7 Co. v. ITT Cont’l Baking Co., 668 F.2d 1014, 1057 (9th Cir. 1982).

8 The Court finds no statute of limitations issue that would preclude Plaintiff from supplementing
9 his complaint. Thus, the Court must now decide whether some relationship exists between those facts
10 already asserted in Plaintiff’s original complaint, and those newly alleged facts in Plaintiff’s proposed
11 supplemental complaint. In the instant motion, Plaintiff seeks to add facts of Defendant’s “continued
12 ...harass[ment]” of Plaintiff by way of phone calls Defendant purportedly made to Plaintiff from April
13 to July 2013. Doc. # 9 at 2; Doc. # 10 at 14-16. This Court finds that a sufficient relationship exists
14 between those facts asserted in the original complaint, and those newly alleged facts in Plaintiff’s
15 proposed supplemental complaint. This Court also finds that Plaintiff’s newly alleged facts are related
16 to his existing claims regarding Defendant’s purportedly abusive and unlawful debt collection
17 practices.

18 Accordingly, **IT IS HEREBY ORDERED** that Plaintiff’s unopposed First Motion for Leave
19 to File a Supplemental Complaint (doc. # 9) is **granted**. Plaintiff is directed to file his supplemental
20 complaint **no later than February 25, 2015**.

21 DATED: February 18, 2015

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24 C.W. Hoffman, Jr.
25 United States Magistrate Judge
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