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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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FEDERAL NATIONAL MORTGAGE ASSOCIATION,  <div style="text-align: right;">Plaintiff(s),</div> <div style="text-align: center;">v.</div> CANYON WILLOW OWNERS ASSOCIATION, et al.,  <div style="text-align: right;">Defendant(s).</div>		Case No. 2:16-CV-203 JCM (CWH)  <div style="text-align: center;">ORDER</div>
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Presently before the court is plaintiff Federal National Mortgage Association’s motion for leave to file its first amended complaint. (ECF No. 30). Plaintiff hopes “to add causes of action for constitutional and statutory violations stemming from the HOA foreclosure sale that gave rise to the original Complaint” in light of the Ninth Circuit’s recent decision in *Bourne Valley Court Trust v. Wells Fargo Bank, NA*, 832 F.3d 1154 (9th Cir. 2016).<sup>1</sup> (ECF No. 30).

Federal Rule of Civil Procedure 15(a)(2) states: “[A] party may amend its pleading only with the opposing party’s written consent or the court’s leave. The court should freely give leave when justice so requires.” Moreover, “[a] district court determines the propriety of a motion to amend by ascertaining the presence of any of four factors: bad faith, undue delay, prejudice to the opposing party, and/or futility. Generally, this determination should be performed with all inferences in favor of granting the motion.” *Griggs v. Pace Am. Grp., Inc.*, 170 F.3d 877, 880 (9th Cir. 1999) (citation omitted). Indeed, “where there is a lack of prejudice to the opposing party and the amended complaint is obviously not frivolous, or made as a dilatory maneuver in bad faith, it

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<sup>1</sup> The Ninth Circuit decided that case after plaintiff filed its original complaint. See *Bourne Valley Court Trust*, 832 F.3d at 1154; see also (ECF No. 1).

