

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

U.S. BANK NATIONAL ASSOCIATION,  
Plaintiff(s),  
v.  
SFR INVESTMENTS POOL 1, LLC, et al.,  
Defendant(s).

Case No. 2:16-CV-2804 JCM (GWF)

ORDER

Presently before the court is a motion to amend/correct complaint filed by plaintiff U.S. Bank National Association (“U.S. Bank”) (ECF No. 38). Defendants have not filed a response, and the time to do so has passed.

Federal Rule of Civil Procedure 15(a) provides that “[t]he court should freely give leave [to amend] when justice so requires.” Fed. R. Civ. P. 15(a)(2). The United States Supreme Court has interpreted Rule 15(a) and confirmed the liberal standard district courts must apply when granting such leave. In *Foman v. Davis*, the Supreme Court explained:

In the absence of any apparent or declared reason—such as undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, futility of the amendment, etc.—the leave sought should, as the rules require, be “freely given.”

371 U.S. 178, 182 (1962).

Plaintiff has attached a proposed amended complaint to its motion in accordance with Local Rule 15-1(a), which provides that “the moving party shall attach the proposed amended pleading to any motion to amend . . . .” LR 15-1(a).

In light of Rule 15’s liberal standard and the fact that defendants have not filed an opposition, the court will grant plaintiff’s motion to amend/correct its complaint (ECF No. 38).


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to amend/correct complaint (ECF No. 38) be, and the same hereby is, GRANTED.

IT IS FURTHER ORDERED that plaintiff shall file, within fourteen (14) days from the entry of this order, a first amended complaint identical to that attached to its motion to amend (ECF No. 38-1).

DATED September 21, 2017.

  
UNITED STATES DISTRICT JUDGE