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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

RITA LATHAM,

Plaintiff(s),

vs. TUTOR PERINI BUILDING CORP., et al., Defendant(s). Case No. 2:17-cv-00071-RFB-NJK ORDER

(Docket Nos. 25, 26, 27, 28)

Pending before the Court are Defendants Tutor Perini Building Corporation's and Tutor Perini Corporation's motion for leave to amend the answer and file a third-party complaint (Docket No. 25), motion to withdraw that preceding motion (Docket No. 26), renewed motion for leave to file a thirdparty complaint (Docket No. 27), and stipulation to file a third-party complaint (Docket No. 28). In light of the parties' stipulation, the Court hereby **DENIES** as moot the motions at Docket Nos. 25, 26, and 27. For the reasons discussed below, the Court hereby **GRANTS** the stipulation at Docket No. 28.

When a defendant seeks to file a third-party complaint more than 14 days after answering the complaint, it must obtain leave of court. *See* Fed. R. Civ. P. 14(a)(1). Rule 14 is liberally construed to permit joinder of third party claims. *E.g., United States v. Pioneer Lumber Treating Co.*, 496 F. Supp. 199, 202-03 (E.D. Wash. 1980). "Rule 14 was designed to provide for the adjudication of rights of all persons involved in a controversy in order to avoid circuity of actions and multiplicity of suits." *Nevada Eighty-Eight, Inc. v. Title Ins. Co. of Minn.*, 753 F. Supp. 1516, 1529 (D. Nev. 1990). "Joinder under Rule 14(a) should be 'freely granted to promote efficiency unless to do so would prejudice the plaintiff,

1	unduly complicate the trial, or would foster an obviously unmeritorious claim."" FMC Corp. v. Vendo
2	Co., 196 F. Supp. 2d 1023, 1038 (E.D. Cal. 2002) (quoting New York v. Solvent Chem. Co., 179 F.R.D.
3	90, 93 (W.D.N.Y. 1998)).
4	Applying these standards here and in light of the lack of any opposition, the Court GRANTS the
5	stipulation. Defendants shall file the third-party complaint by July 13, 2017, and shall serve it. Cf. Local
6	Rule 15-1(b).
7	IT IS SO ORDERED.
8	DATED: July 6, 2017
9	NANCY L KODDE
10	NANCY J. KOPPE United States Magistrate Judge
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