

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

\* \* \*

HYUNDAI MOTOR AMERICA, INC., et. al.,  
Plaintiffs,  
v.  
MIDWEST INDUSTRIAL SUPPLY  
COMPANY,  
Defendant.

Case No. 2:17-cv-03010-JCM-GWF

**ORDER**

This matter is before the Court on Plaintiff’s Motion for Leave to File First Amended Complaint (ECF No. 28), filed on October 30, 2018. The parties filed their Stipulation for Extension of Discovery Deadlines and Defendants’ Non-Opposition to Plaintiff’s Motion for Leave to File First Amended Complaint (ECF No. 30) on November 9, 2018.

Under Fed. R. Civ. P. 15(a)(2), prior to trial, a party “may amend its pleading only with the opposing party’s written consent or the court’s leave.” Courts should freely give leave to amend “when justice so requires”. Id. As this Court has previously stated “Rule 15’s policy of favoring amendments to pleadings should be applied with ‘extreme liberality’” where the motion to amend “is not sought in bad faith, does not cause the opposing party undue delay, does not cause the opposing party undue prejudice, and does not constitute an exercise in futility.” Wright v. Incline Village General Imp. Dist., 597 F.Supp.2d 1191, 1210 (D.Nev. 2009).

Plaintiff requests leave to file an amended complaint to add Alliance Automotive, LLC as a Defendant. The Court finds that justice requires granting Plaintiff’s request because the leave to amend is sought in good faith, does not cause the opposing party undue delay or undue prejudice, and does not constitute an exercise in futility. Accordingly,

...  
...


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

**IT IS HEREBY ORDERED** that Plaintiff's Motion for Leave to File First Amended Complaint (ECF No. 28) is **granted**.

**IT IS FURTHER ORDERED** that Plaintiff may file the amended complaint attached to its Motion for Leave (ECF No. 28) as Exhibit 1.

**IT IS FURTHER ORDERED** that the motion hearing set for November 28, 2018 at 9:30 AM is hereby **vacated**.

Dated this 19th day of November, 2018.

  
\_\_\_\_\_  
GEORGE FOLEY, JR.  
UNITED STATES MAGISTRATE JUDGE