

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JESSE ROMERO,

Plaintiff,

v.

No. CV 17-00775 KG/SCY

TITLEMAX OF NEW MEXICO, INC.,

Defendant.

ORDER GRANTING LEAVE TO FILE A SECOND AMENDED COMPLAINT

Before the Court is the parties' Joint Unopposed Motion for Reconsideration (Doc. 110) (Motion). Previously, the Court struck the Plaintiff's second amended complaint (Doc. 83) for failure to comply with Federal Rules of Civil Procedure 15(a)(2) and 16(b). (Doc. 108). The Motion now makes two requests: 1) that the Court grant leave to file a second amended complaint; and 2) that the Court "reconsider" its Order that denied Defendant's motions (Docs. 86, 87, 88, 98) as moot (Doc. 109).

The unopposed Motion indicates that Defendant has consented to Plaintiff amending his pleading a second time, and so the Court will grant Plaintiff leave to amend. The Court denies Defendant's request to reconsider its Order denying the four motions as moot. However, the parties may refile new motions referencing the new second amended complaint with the appropriate docket number.

IT IS ORDERED THAT

1. The parties' Joint Unopposed Motion for Reconsideration (Doc. 110) is
GRANTED in part and DENIED in part:

- a) Plaintiff may file a second amended complaint.
 - b) The parties' request that the Court reconsider its rulings on Docs, 86, 87, 88, and 98 is DENIED.
2. Plaintiff must file a second amended complaint within 3 days of entry of this Order.
 3. All discovery in this matter shall continue to be STAYED.


UNITED STATES DISTRICT JUDGE