

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 11/24/2015

HERBERT FEINBERG,

Plaintiff,

v.

APPLE INC.,

Defendant.

No. 15-CV-5198 (RA)

OPINION & ORDER

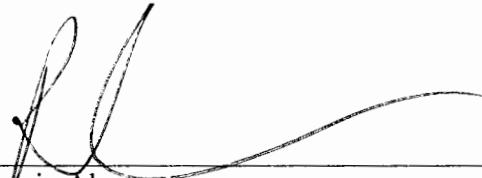
RONNIE ABRAMS, United States District Judge:

The Court is in receipt of the parties' letter briefing regarding Plaintiff's motion to amend his operative complaint, *see* Dkt. 22–26, as well as Plaintiff's proposed Second Amended Complaint, Dkt. 22. In light of "the lenient standard under Rule 15(a), which provides leave to amend 'shall be freely given,'" *Grochowski v. Phoenix Const.*, 318 F.3d 80, 86 (2d Cir. 2003) (quoting Fed. R. Civ. P. 15(a)), Plaintiff's motion is granted. Plaintiff shall file on the electronic docket (ECF) the proposed Second Amended Complaint, which was attached to his September 16, 2015 letter, on or before December 1, 2015. No further amendments will be permitted.

It is further ORDERED that defendant shall have until January 5, 2016 to file a motion to dismiss the Second Amended Complaint as well as any motion to stay discovery pending the disposition of the motion to dismiss. Any opposition to the motion or motions shall be filed on or before January 19, 2016, and any reply on or before January 26, 2016.

SO ORDERED.

Dated: November 24, 2015  
New York, New York

  
Ronnie Abrams  
United States District Judge