



Under Rule 15 of the Federal Rules of Civil Procedure, the Plaintiffs have twenty-one (21) days from service of a motion to dismiss to amend their Complaint as a matter of course. Fed. R. Civ. P. 15(a)(1)(B). With respect to the Plaintiffs' claims asserted against Defendants who have already answered, the Plaintiffs are required to seek either consent of the opposing parties or leave of Court to file an Amended Complaint, thereby necessitating the present motion. See Fed. R. Civ. P. 15(a)(2).

The Court is mindful that Rule 15 embodies "a relatively liberal amendment policy." See Cook v. Howard, 484 F. App'x 805, 814 (4<sup>th</sup> Cir. 2012). Thus, absent a showing of prejudice, bad faith, or undue delay, leave to amend should be, as stated by the Rule, "freely given." Fed. R. Civ. P. 15(a)(2); Foman v. Davis, 371 U.S. 178, 182, 83 S.Ct. 227, 9 L.Ed.2d 222 (1962).

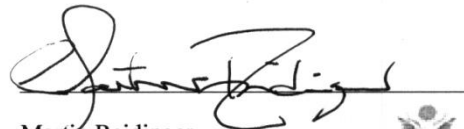
Having reviewed the Plaintiffs' Amended Complaint, the Court concludes that the Defendants would not suffer any undue prejudice by the filing of the Amended Complaint. Nor has it been shown that the Plaintiffs' filing was untimely or in bad faith. For these reasons, the Court will grant the Plaintiffs' Motion to Amend.

Accordingly, **IT IS, THEREFORE ORDERED** that Defendant Invensys Systems, Inc.'s Motion to Dismiss [Doc. 133] is **DENIED AS MOOT.**

**IT IS FURTHER ORDERED** that the Plaintiffs' Motion for Leave to File Amended Complaint [Doc. 175] is **GRANTED.** The Plaintiffs shall file their Amended Complaint within fourteen (14) days of the entry of this Order.

**IT IS SO ORDERED.**

Signed: April 12, 2013

  
Martin Reidinger  
United States District Judge 