

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:15cv33**

**THOMAS H. PRICE, Administrator of** )  
**the Estate of Aaron V. Price, Deceased,** )  
 )  
 )  
**Plaintiff,** )  
 )  
**v.** )  
 )  
**U.S. GEAR TOOLS, INC., et al.,** )  
 )  
**Defendants.** )  
\_\_\_\_\_ )

**ORDER**

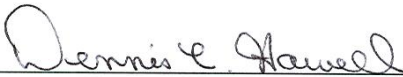
Pending before the Court is the Motion for Leave to File Amended Complaint [# 31]. Plaintiff moves for leave to amend its Amended Complaint and add an additional defendant. In addition, Plaintiff moves to extend discovery in this case. Defendants consent (or take no position) to allowing Plaintiff leave to amend the Amended Complaint and add an additional defendant but object to extending discovery in this case. Upon a review of the record, the relevant legal authority, and after consultation with the District Court, the Court **DIRECTS** the parties as follows:

- (1) The Court **GRANTS** the motion [# 31] to the extent Plaintiff seeks leave to amend the Amended Complaint and add an additional defendant. Plaintiff shall have ten (10) days from the entry of this Order

to file a Second Amended Complaint.

(2) The Court **STAYS** this case as to the current Defendants. Once the new defendant has been served and answered the Second Amended Complaint, the Court will set a hearing in this case and, after giving the parties an opportunity to be heard, enter a new Pretrial Order in this case.

Signed: December 18, 2015

  
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Dennis L. Howell  
United States Magistrate Judge

