

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Civil Engineering Consulting Services Inc.,

Plaintiff,

v.

Anderson Columbia Co., Inc./Boggs  
Paving, Inc., A Joint Venture, Anderson  
Columbia Co., Inc., Boggs Paving, Inc. and  
Liberty Mutual Insurance Company,

Defendants.

C/A No. 3:16-cv-2540-JFA

**ORDER**

This case is before the court on defendant Boggs Paving, Inc.'s ("Boggs") motion for reconsideration (ECF No. 61) of this court's previous order granting plaintiff Civil Engineering Consulting Services Inc.'s ("CECS") motion to amend its complaint (ECF No. 57).

Within its motion, Boggs states that the order granting CECS' motion to amend was filed a week prior to the deadline for Boggs to file a memorandum in opposition to CECS' motion. Boggs also goes on to argue why the motion to amend should not be granted. CECS timely filed a response to Boggs' motion in which it also discusses the merits of its earlier motion to amend. (ECF No. 64).

In light of the fact that CECS' motion to amend was granted before receiving a memorandum in opposition from Boggs, this court finds it prudent to revisit CECS' motion to amend its complaint.<sup>1</sup> Accordingly, the order granting CECS' motion to amend (ECF No. 57) is vacated and the clerk is

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<sup>1</sup> "[A]ny order or other decision, however designated, that adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties does not end the action as to any of the claims or parties and may be revised at any time before the entry of a judgment adjudicating all the claims and all the parties' rights and liabilities." Fed. R. Civ. P. 54.

instructed to reinstate CECS' motion to amend the complaint (ECF No. 55) as pending on the court docket.

The court will hear oral arguments on Plaintiff's motion to amend on July 27, 2017, at 2:30. Although the court will accept additional briefing on this matter<sup>2</sup>, no further briefing is required because the merits of Plaintiff's motion to amend have been fully addressed within the party's memoranda in support of and in opposition to Boggs' motion for reconsideration.

IT IS SO ORDERED.



July 14, 2017  
Columbia, South Carolina

Joseph F. Anderson, Jr.  
United States District Judge

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<sup>2</sup> Any additional briefing on this matter must be submitted by July 21, 2017.