

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

BETTY J. PELFREY, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 SMOKY MOUNTAIN RESORTS, INC., )  
 SMOKY MOUNTAIN RESORT SERVICES, LLC )  
 SMOKY MOUNTAIN RESORTS, )  
 a/k/a GOVERNOR’S INN, )  
 )  
 Defendants. )

No. 3:10-CV-483  
(Phillips)

MEMORANDUM AND ORDER

This matter is before the court on the plaintiff’s motion for leave to amend her complaint pursuant to Rule 15, Federal Rules of Civil Procedure [Doc. 18]. In support of the motion, plaintiff states that in Smoky Mountain Resorts’ revised motion for summary judgment, defendant states that Governor’s Inn is not owned by Smoky Mountain Reports, but is owned by Hotel Partners, a Tennessee General Partnership [Docs. 14, 15]. Plaintiff requests permission to amend her complaint to add Hotel Partners as a defendant in this action. Defendant Smoky Mountain Resorts responds that it does not oppose plaintiff’s motion to amend her complaint [Doc. 20].

Under Rule 15(a), judges are directed to grant leave to amend pleadings freely, “when justice so requires.” The determination of whether the circumstances of a

case are such that justice would require the allowance of an amendment is left the sound discretion of the court. *Hayden v. Ford Motor Company*, 497 F.2d 1292 (6<sup>th</sup> Cir. 1974).

It appears to the undersigned that justice requires that plaintiff be allowed to amend her complaint to add Hotel Partners as a defendant in this action. Accordingly, plaintiff's motion to amend her complaint [Doc. 18] is **GRANTED**. Plaintiff shall file her amended complaint with the Clerk within **20 days** from entry of this memorandum and order.

A scheduling order was entered in this case on June 23, 2011. The parties shall conduct their Rule 26(f) meeting within **45 days**. Thereafter, the parties may engage in discovery, pursuant to the scheduling order.

**IT IS SO ORDERED.**

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge