

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

PITT EXCAVATING LLC)
)
 Plaintiff,)
)
 vs.)
)
 MARY LOU PITT)
)
 Defendant,)

No: 3:13-cv-00909

Chief Judge Haynes

ON 10/21/13
This motion
is GRANTED per R.
Co. P. 15 (a)
[Signature]
10-21-13

MOTION FOR LEAVE TO FILE SECOND AMENDED VERIFIED COMPLAINT

COMES NOW the Plaintiff, by and through its undersigned counsel, and respectfully requests this Honorable Court to grant leave, thereby permitting Plaintiff to file a Second Amended Verified Complaint pursuant to FRCP 15 and 19 (a) (1)(A), and state as follows:

1. Plaintiff filed its Verified Complaint in this Court on September 10, 2013
2. Defendant challenged this Court's jurisdiction and as a result Plaintiff filed its Verified Amended Complaint to address any such Jurisdictional deficiencies (Docket Entry No. 18).
3. Plaintiffs seek leave of this Court to file its Second Amended verified Complaint. This Second Amended Complaint seeks to not only correct minor typographical errors but to add a necessary party to the litigation. Since the filing of this action and subsequent to filing its Amended Complaint, Plaintiff has discovered and has affirmative evidence that John W. Pitt III has, as Defendant Mary Lou Pitt, engaged in the unlawful forging and cashing Pitt Excavation LLC business checks.