

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

COLLEEN J. BENTLEY,
Plaintiff,

vs.

AMERICAN HOME MORTGAGE
ASSETS TRUST, et al.,
Defendants.

MEMORANDUM DECISION AND
ORDER DENYING PLAINTIFF'S
MOTION TO STRIKE MOTION TO
DISMISS

Case No. 2:09-CV-588 TS

Plaintiff moves to strike Defendants' Motion to Dismiss the Complaint on the ground that Plaintiff filed an amended complaint and therefore the Motion is moot.

The Court finds that on August 4, 2009, Defendant Bentley filed an Answer to the Complaint.¹ Therefore, pursuant to Fed.R.Civ.P. 15(a)(2), leave to amend was required before an amended complaint could be docketed. Accordingly, the proposed amended complaint was lodged² but not docketed. It is therefore


¹Docket No. 8.

²Docket No. 9.

ORDERED that Plaintiff's Motion to Strike (Docket No. 8) the Motion to Dismiss is DENIED.

DATED September 9, 2009.

BY THE COURT:



TED STEWART
United States District Judge