

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

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BRENT DAVID HOFFMAN,

Plaintiff,

vs.

VERIZON WIRELESS, BRADLY  
SUMMERS, JESSICA BARRON,  
ANTHONY BOWMAN, AL RINGGOLD,  
ED FLOWER, BRIAN CERVINSKI, JULIE  
EVES, JEANEEN DAVIS AND RYAN  
WARNER,

Defendants.

MEMORANDUM DECISION AND  
ORDER DEFERRING RULING AND  
ORDERING PLAINTIFF TO FILE  
PROPOSED AMENDED  
COMPLAINT

Case No. 2:10-CV-1170 TS

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The Court has before it Plaintiff Brent David Hoffman's Motion to Amend Above Entitled Case of Discrimination.<sup>1</sup> Plaintiff's Motion abstractly discusses the amendments he hopes to include in his amended complaint and attaches a copy of a "Notice of Right to Sue" issued by the Equal Employment Opportunity Commission ("EEOC"). As this Court has stated

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<sup>1</sup>Docket No. 15.


previously, however, “[i]n order to file a successful motion to amend his complaint, Plaintiff must include, with the motion, a copy of his proposed amended complaint.”<sup>2</sup> Simply discussing the proposed changes and attaching the “Notice of Right to Sue” is insufficient. “Plaintiff must incorporate the changes he wishes to make in his complaint, then provide the court with the amended complaint, in its entirety.”<sup>3</sup>

To expedite this matter, the Court will defer ruling on Plaintiff’s Motion to Amend until a proposed amended complaint is filed with the Court. Plaintiff is ordered to file his proposed amended complaint, which incorporates all changes he wishes to make to his original complaint, with the Court within thirty (30) days from the date of this Order. Once Plaintiff files his proposed amended complaint, Defendants shall have fourteen (14) days to file an amended response, if any. Once this additional briefing is completed, the Court will rule on the merits of Plaintiff’s Motion. Should Plaintiff fail to file his proposed amended complaint within the specified time, the Court will subsequently deny the motion.

It is so ORDERED.

DATED June 27, 2011.

BY THE COURT:

  
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TED STEWART  
United States District Judge

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<sup>2</sup>*Franke v. ARUP Lab.*, 2008 WL 3192618, at \*1 (D. Utah Aug. 06, 2008).

<sup>3</sup>*Id.*