

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Jul 17, 2018

SEAN F. McAVOY, CLERK

CYNTHIA HARVEY and STEVEN  
A. MILMAN, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

CENTENE CORPORATION,  
COORDINATED CARE  
CORPORATION, and SUPERIOR  
HEALTHPLAN, INC.,

Defendants.

No. 2:18-CV-00012-SMJ

**ORDER GRANTING PLAINTIFFS'  
MOTION FOR LEAVE TO  
AMEND CLASS ACTION  
COMPLAINT**

Before the Court, without oral argument, is Plaintiffs' Motion for Leave to Amend Class Action Complaint, ECF No. 37. Federal Rule of Civil Procedure 15(a)(2) provides that a party seeking to amend a pleading on a date more than 21 days after the initial pleading was filed may do so "only with the opposing party's written consent or the court's leave." The rule instructs that "[t]he court should freely give leave when justice so requires." *Id.* "The more common reasons for denying leave to amend are that the amendment will result in undue prejudice to the other party, is unduly delayed, is not offered in good faith, or that the party has had

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CLASS ACTION COMPLAINT - 1

1 sufficient opportunity to state a claim and has failed.” *Komie v. Buehler Corp.*, 449  
2 F.2d 644, 647-48 (9th Cir. 1971) (internal quotation marks omitted).

3 The Court finds that good cause exists to grant Plaintiffs’ motion. Because  
4 this matter is still in its early stages, the proposed amendments, though substantial,  
5 will not prejudice Defendants. Plaintiffs did not unduly delay their motion because  
6 the discovery and dispositive motion deadlines are not currently scheduled.  
7 Moreover, it does not appear that Plaintiffs’ motion is motivated by bad faith.


8 Accordingly, **IT IS HEREBY ORDERED:**

9 Plaintiffs’ Motion for Leave to Amend Class Action Complaint, **ECF**  
10 **No. 37**, is **GRANTED**. Plaintiffs shall file an amended complaint  
11 consistent with ECF No. 38 no later than **July 24, 2018**.

12 **1.** In light of the changed pleadings, Defendants’ pending motions to  
13 dismiss, **ECF Nos. 16, 17, and 18**, and all dates and deadlines  
14 associated with those motions, are **STRICKEN**. Defendants may file  
15 dispositive motions any time before the dispositive motion deadline.

16 **IT IS SO ORDERED.** The Clerk’s Office is directed to enter this Order and  
17 provide copies to all counsel.

18 **DATED** this 17th day of July 2018.

19   
20 **SALVADOR MENDEZ, JR.**  
United States District Judge