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4 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
5 AT SEATTLE

6 JORGE TORRES,

7 Plaintiff,

8 v.

9 CITY OF SEATTLE, et al.,

10 Defendants.

C16-1863 TSZ

MINUTE ORDER

11 The following Minute Order is made by direction of the Court, the Honorable  
Thomas S. Zilly, United States District Judge:

12 (1) Rather than responding to defendant City of Seattle's Rule 12(b)(6) motion  
13 to dismiss plaintiff's fifth and sixth causes of action, docket no. 7, plaintiff filed an  
amended complaint, docket no. 10, without seeking leave of the Court, as he was required  
14 to do because City of Seattle had already filed an answer. Fed. R. Civ. P. 15(a)(2). The  
Court will treat plaintiff's filing of the amended complaint as a motion for leave to amend  
15 and will grant such motion. Plaintiff's amended complaint will be deemed filed and  
served as of the date of this Minute Order. City of Seattle's partial motion to dismiss,  
16 docket no. 7, is STRICKEN without prejudice. Any pleading or motion responsive to the  
amended complaint shall be due in accordance with Rule 15(a)(3).

17 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of  
18 record.

19 Dated this 3rd day of March, 2017.

20 William M. McCool  
Clerk

21 s/Karen Dews  
22 Deputy Clerk