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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MICKEY L. FAY, JR.,

Plaintiff,

v.

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC., et  
al.,

Defendants.

CASE NO. C11-5458BHS

ORDER GRANTING  
PLAINTIFF’S MOTION TO  
AMEND COMPLAINT

This matter comes before the Court on Plaintiff’s (“Fay”) motion to amend complaint (Dkt. 24). The Court has considered the pleadings filed in support of and in opposition to the motion and the remainder of the file and hereby grants the motion for the reasons stated herein.

**I. DISCUSSION**

On June 16, 2011, the Court denied Fay’s motion for temporary restraining order (“TRO”) and set a briefing schedule on the motion for preliminary injunction. Dkt. 4. On June 22, 2011, the Court denied Fay’s second motion for TRO as duplicative to the first

1 TRO motion, which the Court had already denied. Dkt. 14 (treating the motion as one for  
2 reconsideration).

3 The parties fully briefed the motion for preliminary injunction. *See* Dkts. 19  
4 (opposition), 24 (reply). However, on July 26, 2011, Fay moved the Court to amend the  
5 Complaint in this case. Dkt 24. The Court renoted the motion for preliminary injunction  
6 and to amend the complaint for consideration on its calendar for August 12, 2011.  
7 Defendants did not oppose Fay’s motion to amend.

8 Fay contends that good cause for amendment “arises as to new information and  
9 recent developments in this matter.” Dkt. 24 at 1. While the proposed Amended  
10 Complaint is on file, Fay failed to highlight for the Court the extent of the “new  
11 information and recent developments” within the motion to amend. *See* Dkt. 24; *see also*  
12 Dkt. 24, Ex. A (proposed Amended Complaint).

13 However, because Fay is proceeding pro se and because Defendants did not  
14 oppose the motion, the Court will provide Fay with some latitude and permit amendment  
15 of the Complaint as proposed. *See id.*

## 16 II. ORDER

17 Therefore, it is hereby **ORDERED** that:

- 18 1. Fay’s motion to amend the complaint (Dkt. 24) is **GRANTED**;
- 19 2. Fay **SHALL** file the Amended Complaint on or before Monday, September  
20 19, 2011;
- 21 3. Defendants **MAY AMEND** their opposition to the motion for preliminary  
22 injunction on or before Wednesday, September 21;

1           4.     Fay **MAY FILE** any supplementary reply brief on or before Friday,  
2 September 23; and

3           5.     The Court **RENOTES** the motion for preliminary injunction to be  
4 considered on Friday, September 23, 2011.

5           Dated this 13th day of September, 2011.

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BENJAMIN H. SETTLE  
United States District Judge