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5	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA	
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8	DINAH CANADA, et al.,	
9	Plaintiffs,	CASE NO. C12-5657 BHS
10	V.	ORDER STRIKING MOTIONS TO DISMISS
11	MERACORD, LLC, et al.,	
12	Defendants.	
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14	This matter comes before the Court on Defendants Lloyd Ward & Associates,	
15	P.C., Lloyd Ward, P.C., The Lloyd Ward Group, P.C., Lloyd E. Ward, and Ward	
16	Holdings, Inc.'s ("Ward Defendants") motion to dismiss (Dkt. 31) and Defendants	
17	Meracord, LLC and Linda Remsberg's ("Meracord Defendants") motion to dismiss,	
18	compel arbitration, or stay litigation (Dkt. 34). The Court has considered the pleadings	
19	filed in support of the motions and the remainder of the file and hereby strikes the	
20	motions for the reasons stated herein.	
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I. PROCEDURAL HISTORY

2 On July 24, 2012, Plantiffs filed a class action complaint against Defendants. Dkt. 3 1. 4 On September 19, 2012, the Ward Defendants filed a motion to dismiss. Dkt. 31. 5 On September 24, 2012, 2012, the Meracord Defendants filed a motion to dismiss. Dkt. 6 34. 7 On October 9, 2012, the Court issued a stipulated order extending the deadline for 8 an amended complaint to October, 29, 2012, (Dkt. 39), and Plaintiffs timely filed an 9 amended complaint. Dkt. 41. 10 **II. DISCUSSION** 11 Plaintiffs may file an amended pleading once as a matter of course 21 days after a 12 responsive pleading. Fed. R. Civ. P. 15(a)(1)(B). Plaintiffs met the Court's extension of 13 that deadline. The Ward Defendants, however, contend that no possible amendment 14 could cure the deficiencies in Plaintiffs' complaint. Dkt. 40. The Court would rather 15 render a decision on the basis that allowed amendments *did* not cure potential 16 deficiencies in the complaint. The Meracord Defendants argue that their original 17 arguments apply with equal force to the amended complaint. Dkt. 46 at 7. Due process 18 requires that Plaintiffs have an opportunity to address this argument. Therefore, the 19 Court strikes both motions to dismiss. 20 21 22

1	III. ORDER
2	Therefore, it is hereby ORDERED that the Clerk is directed to strike both motions
3	to dismiss (Dkts. 31 & 34).
4	Dated this 13th day of November, 2012.
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6	Orr (Settle
7	BENJAMIN H. SETTLE United States District Judge
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