

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

SHARLEEN SPRAGUE, Personal
Representative of the Estate of JAMES
OLSON, MARTHA P. LANGDON,
Individually and as personal
representative of WAYNE V.
LANGDON,

Plaintiffs,

v.

PFIZER, INC.,

Defendant.

CASE NO. 14-5084 RJB

ORDER GRANTING MOTION
FOR LEAVE TO AMEND
COMPLAINT

This matter comes before the Court on the Plaintiffs' Motion for Leave to Amend the Complaint. Dkt. 71. The Court has reviewed pleadings regarding the motion and the remaining file and is fully advised.

The Plaintiffs now move to amend the Complaint to substitute Laurie J.V. Olson for Sharleen Sprague in this matter because Ms. Olson is now the Personal Representative of the

1 Estate of James Olson. Dkt. 71. They also move to remove co-plaintiff Martha Langdon as
2 Personal Representative of the Estate of Wayne Langdon, because her claims were fully
3 dismissed by the stipulation of the parties. *Id.* The Plaintiffs filed a red-lined version of their
4 proposed amended complaint. Dkt. 72, at 15-18. The Defendant did not file an objection.

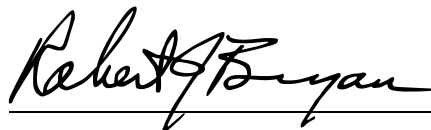
5 Under Fed. R. Civ. P. 15 (a)(2), “a party may amend its pleading only with the opposing
6 party’s written consent or the court's leave. The court should freely give leave when justice so
7 requires.” A motion to amend under Rule 15 (a)(2), “generally shall be denied only upon
8 showing of bad faith, undue delay, futility, or undue prejudice to the opposing party.” *Chudacoff*
9 *v. University Medical Center of Southern Nevada*, 649 F.3d 1143 (9th Cir. 2011).

10 There is no showing here of bad faith, undue delay, futility, or undue prejudice. The
11 Plaintiffs’ Motion for Leave to Amend the Complaint (Dkt. 71) should be granted. The Plaintiffs
12 should file a clean version of their amended complaint on or before **March 6, 2019**.

13 **IT IS SO ORDERED.**

14 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
15 to any party appearing pro se at said party’s last known address.

16 Dated this 15th day of February, 2019.

17 

18 ROBERT J. BRYAN
19 United States District Judge