

1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF WASHINGTON
3 AT TACOMA

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 DORAN R. KRAUS,

8 Defendant.

CASE NO. C16-5449BHS

ORDER GRANTING
PLAINTIFFS' MOTIONS

9 This matter comes before the Court on Plaintiff United States of America's motion
10 to amend complaint (Dkt. 18) and motion to vacate and reset initial scheduling deadlines
11 (Dkt. 19). The Court has considered the pleadings filed in support of and in opposition to
12 the motions and the remainder of the file and hereby grants the motions for the reasons
13 stated herein.

14 **I. PROCEDURAL HISTORY**

15 On June 8, 2016, the Government filed a complaint against Defendant Doran
16 Kraus ("Kraus") to reduce tax assessments to judgment. Dkt. 1.

17 On December 14, 2016, the Government filed a motion to amend the complaint to
18 add additional assessments against Kraus and add parties that may have an interest in the
19 subject property. Dkt. 18. On December 15, 2016, the Government filed a motion to
20 vacate and reset the initial deadlines. Dkt. 19. On December 23, 2016, the Clerk
21 received notice from Kraus that he reserves all his rights and does not recognize the
22 existence of the federal government. Dkt. 20.

1 **II. DISCUSSION**

2 At this point of the proceeding, “a party may amend its pleading only with the
3 opposing party’s written consent or the court’s leave. The court should freely give leave
4 when justice so requires.” Fed. R. Civ. P. 15(a)(2).


5 In this case, the Government has shown that leave to amend is warranted. Adding
6 the additional claims against Kraus would avoid duplicative litigation, and the additional
7 parties must be named in this proceeding. 26 U.S.C. § 7403(b). Accordingly, the Court
8 grants the motion.

9 Regarding the initial scheduling dates, the Court grants extensions for good cause.
10 The Government has shown that good cause exists to afford the added parties the
11 opportunity to participate in the initial conferences. Accordingly, the Court grants the
12 Government’s motion.

13 **III. ORDER**

14 Therefore, it is hereby **ORDERED** that the Government’s motion to amend
15 complaint (Dkt. 18) and motion to vacate and reset initial scheduling deadlines (Dkt. 19)
16 are **GRANTED**. The Government shall file the amended complaint as a new entry on
17 the electronic docket as soon as practicable.

18 Dated this 26th day of January, 2017.

19 
20 BENJAMIN H. SETTLE
21 United States District Judge
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