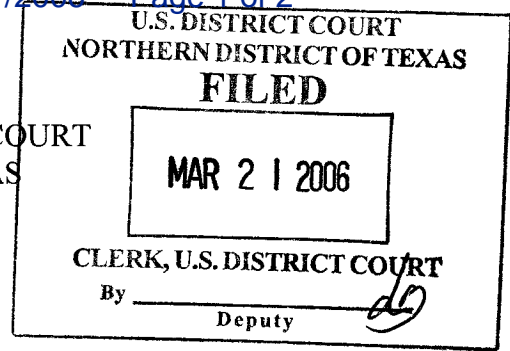


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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MICHAEL J. QUILLING, Receiver for
Sardaukar Holdings, IBC and
BRADLEY C. STARK,

Plaintiffs,

v.

HANS TSCHEBAUM and
MICHAEL TSCHEBAUM,

Defendants.

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Civil Action No. 3:05-CV-1465-L

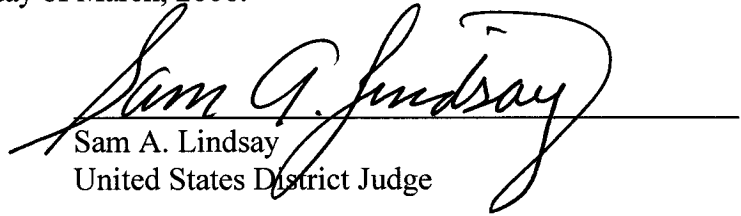
ORDER

Before the court is Plaintiff Quilling’s Motion for Leave of Court to File an Amended Complaint (“Plaintiff’s motion”) filed March 16, 2006. Fed. R. Civ. P. 15(a) states that “leave shall be freely given when justice so requires.” The court routinely allows a party to amend pleadings if it is within the time permitted by the scheduling order. The deadline set by the court for amendment of pleadings is March 20, 2006. Plaintiff’s motion does not include a certificate of conference, pursuant to Local Rules 7.1(a), so the court is uncertain as to whether the motion is opposed by Defendants. As Plaintiff’s motion is timely filed, the court can think of no undue prejudice or delay that would occur to Defendants by the amendment of Plaintiff’s complaint. The court determines that under the liberal standards of Fed. R. Civ. P. 15, the motion should be and is hereby **granted**.

Local Civil Rule 15.1 requires a party who moves for leave to file an amended pleading to attach a copy of the proposed pleading as an exhibit to the motion. The rule also instructs the party to submit with the motion for leave an original and a second copy of the proposed pleading. As

Plaintiff did not submit an original and a second copy of the proposed amended complaint as required by Local Civil Rule 15.1, there is no pleading to direct the clerk to file. Accordingly, Plaintiffs shall file their Amended Complaint by **March 27, 2006**.

It is so ordered this 21st day of March, 2006.


Sam A. Lindsay
United States District Judge