

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

|  |   |                            |
|--|---|----------------------------|
| LAURA BLANKENSHIP, an individual,          | ) | NO. CV 12-07884 FMO (FFMx) |
|  | ) |                            |
| Plaintiff,                                 | ) |                            |
|  | ) |                            |
| v.   | ) | <b>ORDER</b>               |
|  | ) |                            |
| MEDTRONIC, INC.; MEDTRONIC                 | ) |                            |
| SOFAMOR DANEK USA, INC.;                   | ) |                            |
| MEDTRONIC VERTELINK, INC., <u>et al.</u> , | ) |                            |
|  | ) |                            |
| Defendants.                                | ) |                            |

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Having reviewed all the briefing filed with respect to plaintiff's Motion for Leave to File Second Amended Complaint ("Motion"), the court concludes as follows.

A party has the right to amend the complaint "once as a matter of course[.]" Fed. R. Civ. P. 15(a)(1). In addition, even after a complaint has been amended or a responsive pleading has been served, the Federal Rules of Civil Procedure provide that "[t]he court should freely give leave [to amend] when justice so requires." Fed. R. Civ. P. 15(a)(2). The Ninth Circuit requires that this policy favoring amendment be applied with "extreme liberality." Morongo Band of Mission Indians v. Rose, 893 F.2d 1074, 1079 (9th Cir. 1990). Under the circumstances here, the court will grant plaintiff's Motion.

Based on the foregoing, IT IS ORDERED THAT:

1. The hearing set for March 14, 2013, is hereby **vacated**.

