

UNITED STATES DISTRICT COURT
for the

Northern District of Texas

Fort Worth Division

Case No. 4:21-cv-01098-O

DAVID A. FOLEY)
_____)

Plaintiff)

-v-)

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)

)

)

)

JOSEPH R. BIDEN, JR.)

In his official capacity as President)

of the United States only)

_____)

Defendant)

)

PLAINTIFF’S MOTION FOR LEAVE TO AMEND THE COMPLAINT

Due to the evolving nature of the purported COVID-19 pandemic, Plaintiff’s own recent recovery from a COVID-19 infection, and the continuously emerging data related to the efficacy of COVID-19 vaccines and mandates, Plaintiff respectfully moves to withdraw the previous motion which he filed on October 8, 2021, and hereby requests that this Honorable Court grant him leave to amend the Complaint to include additional party defendants, provide additional facts, introduce new theories of liability, and clarify the remedies that he seeks. Along with this

motion, Plaintiff includes a copy of the proposed amended complaint which he seeks to file and serve on the appropriate parties.

Respectfully submitted this 12th day of November,

By:



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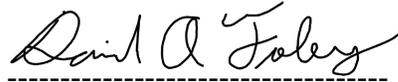
By:



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Certificate of Conference

On this day, November 12, 2021, Plaintiff conferred with Defendant with respect to this motion. Defendant does not agree to the motion but intends to oppose it on grounds including futility.



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Certification of Service

I certify that I have served the above motion and the draft complaint by virtue of electronic service on all parties via the e-file system.



11/12/21

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