

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
LOUISIANA

Cantium, LLC v. Walker Marine Geophysical Company, LLC et al.

Cantium, LLC v. Walker Marine Geophysical Co., LLC, No. 25-552 (E.D. La. Mar. 3, 2026) · No. 25-552 ·
Decided March 3, 2026

SUMMARY

The United States District Court for the Eastern District of Louisiana grants Cantium, LLC’s motion for leave to file an amended and restated complaint under Federal Rule of Civil Procedure 15(a)(2). The court finds that the relevant amendment factors favor leave and directs defendants to raise any concerns about the effect of the amendment on pending motions with the district court.

CASE DETAILS

COURT	United States District Court for the Eastern District of Louisiana
JURISDICTION	United States District Court for the Eastern District of Louisiana
DECIDED	March 3, 2026
DOCKET	25-552
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to file an amended and restated complaint after the period for amendment as a matter of course had expired. The magistrate judge granted the motion under Federal Rule of Civil Procedure 15(a)(2).
STANDARD OF REVIEW	Denial of leave to amend is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- motion to amend
- pleadings
- civil procedure
- commercial litigation

PRACTICE AREAS

- civil procedure
- commercial litigation
- pleadings

QUESTIONS PRESENTED

- Whether Cantium should be granted leave under Federal Rule of Civil Procedure 15(a)(2) to file an amended and restated complaint.

2. Whether the defendants' concern that amendment might affect or delay pending motions required denying or limiting leave to amend.

HOLDINGS

1. When amendment as a matter of course is no longer available, the court should freely grant leave to amend when justice so requires, absent a substantial reason such as undue delay, bad faith, repeated failure to cure deficiencies, undue prejudice, or futility. Because the relevant factors favored amendment, Cantium was granted leave to file its amended and restated complaint.
2. The defendants' position that the amendment should not affect pending motions had to be presented to the district court through a separate submission and did not provide a basis for denying leave to amend.

KEY QUOTATIONS

“The language of Rule 15(a)(2) “evinces a bias in favor of granting leave to amend.”” (1)

“The Fifth Circuit has instructed that the “district court must possess a ‘substantial reason’ to deny a request for leave to amend.”” (1)

“Although leave to amend is to be freely given under Rule 15(a)(2), “that generous standard is tempered by the necessary power of a district court to manage a case.”” (1)

“Factors relevant to the consideration of a motion for leave under Rule 15(a) include “undue delay, bad faith or dilatory motive on the part of the movant, repeated failures to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, and futility of the amendment.”” (1)

“Denial of leave to amend is reviewed for abuse of discretion.” (1)

FACTUAL BACKGROUND

Cantium sought leave to file an amended and restated complaint. The opposing parties did not object to the amendment itself, but asked that the amendment not delay consideration of motions pending before the district court. The court found that the relevant Rule 15(a) factors weighed in favor of permitting amendment.

PROCEDURAL HISTORY

Cantium filed a motion for leave to amend and restate its complaint. GTC, Inc. and Walker Marine Geophysical Company, LLC did not oppose amendment but requested that it not delay consideration of pending motions. The court granted leave to amend and directed defendants to raise any position concerning the effect of amendment on pending motions with the district court through a separate submission.

DISPOSITION

other

CASES CITED

- Chitimacha Tribe of Louisiana v. Harry L.L. Co., 690 F.2d 1157, 1163 (5th Cir. 1982)
- Mayeaux v. Louisiana Health Service & Indemnity Co., 376 F.3d 420, 425 (5th Cir. 2004)
- Smith v. EMC Corp., 393 F.3d 590, 595 (5th Cir. 2004)
- Yumilicious Franchise, LLC v. Barrie, 819 F.3d 170, 177 (5th Cir. 2016)
- Schiller v. Physicians Resources Group Inc., 342 F.3d 563, 566 (5th Cir. 2003)
- Martin's Herend Imports, Inc. v. Diamond & Gem Trading United States of America Co., 195 F.3d 765, 770 (5th Cir. 1999)

OPINION

Cantium, LLC v. Walker Marine Geophysical Company, LLC et al.

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF LOUISIANA

CANTIUM, LLC CIVIL ACTION

VERSUS NO. 25-552

WALKER MARINE GEOPHYSICAL SECTION "B" (3)

COMPANY, LLC ET AL.

ORDER AND REASONS

Plaintiff, Cantium, LLC (“Cantium”), filed a Motion for Leave to File Amended and Restated Complaint (R. Doc. 59). Defendant GTC, Inc. and Counter Defendant Walker Marine Geophysical Company, LLC have filed responses.¹ The responses do not oppose amendment, but rather request that amendment not delay consideration of the motions pending before the District Court. Having considered the submissions of counsel, the record, and the applicable law, the Court grants Cantium’s motion for leave to amend. To the extent that Defendants maintain amendment does not affect the pending motions, they must raise that position with the District Court via a separate submission. Under Rule 15(a)(1), a party may amend its pleading once as a matter of course no later than 21 days after serving it, or “if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b).” Under Rule 15(a)(2), if more than 21 days have passed after service of a 12(b) motion and no scheduling order has been entered, then 1 R. Docs. 60, 61. 1 the party may amend its pleading only with the opposing party's written consent or the court's leave. The court should freely give leave when justice so requires.”² The language of Rule 15(a)(2) “evinces a bias in favor of granting leave to amend.”³ The Fifth Circuit has instructed that the “district court must possess a ‘substantial reason’ to deny a request for leave to amend.”⁴ Although leave to amend is to be freely given under Rule 15(a)(2), “that generous standard is tempered by the necessary power of a district court to manage a case.”⁵ Factors relevant to the consideration of a motion for leave under Rule 15(a) include “undue delay, bad faith or dilatory motive on the part of the movant, repeated failures to cure deficiencies by amendments previously allowed, undue prejudice

to the opposing party by virtue of allowance of the amendment, and futility of the amendment.”⁶ Denial of leave to amend is reviewed for abuse of discretion.⁷ “[A]bsent a ‘substantial reason’ such as undue delay, bad faith, dilatory motive, repeated failures to cure deficiencies, or undue prejudice to the opposing party, ‘the discretion of the district court is not broad enough to permit denial.’”⁸ Here, each of the relevant factors weighs in favor of 2 Fed. R. Civ. P. 15(a)(2). 3 *Chitimacha Tribe of Louisiana v. Harry L.L. Co.*, 690 F.2d 1157, 1163 (5th Cir. 1982); see also *Mayeaux v. Louisiana Health Serv. & Indem. Co.*, 376 F.3d 420, 425 (5th Cir. 2004). 4 *Smith v. EMC Corp.*, 393 F.3d 590, 595 (5th Cir. 2004). 5 *Yumilicious Franchise, LLC v. Barrie*, 819 F.3d 170, 177 (5th Cir. 2016) (quoting *Schiller v. Physicians Res. Grp. Inc.*, 342 F.3d 563, 566 (5th Cir. 2003)). 6 *Schiller*, 342 F.3d at 566. 7 *Mayeaux*, 376 F.3d at 425. 8 *Id.* (quoting *Martin's Herend Imports, Inc. v. Diamond & Gem Trading United 2 amendment*. Insofar as Defendants are concerned about the relationship between amendment and the disposition of pending motions, Defendants must seek relief from the District Court. III. Conclusion For the reasons set forth above, IT IS ORDERED that the Motion to Amend (R. Doc. 59) is GRANTED. Plaintiffs Amended and Restated Complaint and attached exhibits (R. Docs. 59-3— 59-6) shall be filed in the record. New Orleans, Louisiana, this 3rd day of March, 2026.

UNITED STATES MAGISTRATE JUDGE

States of Am. Co., 195 F.3d 765, 770 (5th Cir. 1999)).