

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Harris v. JPMorgan Chase Bank, N.A.

Harris · No. 1:25-cv-00652-JLT-HBK · Decided June 30, 2025

SUMMARY

The United States District Court for the Eastern District of California granted the parties’ stipulated motion to extend the time for responding to the complaint and to permit amendment. Plaintiffs were ordered to file a First Amended Complaint by August 4, 2025, and JPMorgan Chase Bank, N.A. was excused from responding to the original complaint but required to respond to the amended complaint within fourteen days of filing.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 LEONARD HARRIS, IMOGENE Case No. 1:25-cv-00652-JLT-HBK 11
ANDERSON, ORDER GRANTING STIPULATED 12 Plaintiffs, MOTION FOR LEAVE TO
EXTEND TIME 13 TO RESPOND TO COMPLAINT AND FILE vs. AMENDED COMPLAINT
14 JPMORGAN CHASE BANK, N.A.; and (Doc. No. 7) 15 DOES 1 through 30, inclusive, 16
Defendants.

17 18 Defendant JPMorgan Chase Bank, N.A. (“Chase”) removed this action to this Court on May
19 20 30, 2025. (Doc. No. 1). Plaintiffs Leonard Harris and Imogene Anderson (“Plaintiffs”) and
Chase 21 agreed to a 27-day extension, or until July 3, 2025, for Chase to respond to the
Complaint. (Doc. 22 No. 6).

On June 27, 2025, the Parties filed a Stipulation For Leave To Extend Time To Respond To 23
Complaint And File Amended Complaint. (Doc. No. 7). Therein, the Parties request that Plaintiffs
24 be allowed to file a First Amended Complaint no later than August 4, 2025, and that Chase
need 25 respond to the original Complaint. 26 27 Rule 15 governs amended complaints and
supplemental pleadings.

Fed. R. Civ. P. 15. eee eI I I IIE OIE IR III IID ISIE) OIE IIS 1 consent or the court’s leave” and
the “court should freely give leave when justice so requires.” 2 || Here, Chase consents to
Plaintiffs filing a first amended complaint.! 3 ACCORDINGLY, it is hereby ORDERED: 4 1.

The Parties’ stipulated motion (Doc. No.7) is GRANTED; 5 2. Plaintiffs shall file their First
Amended Complaint no later than August 4, 2025; ® 3. Defendant Chase need not file a response

to Plaintiffs' Complaint but shall file a response to Plaintiffs' First Amended Complaint within fourteen (14) days after its filing. Fed. R. 9 Civ. P. 15(a)(3). 10 Dated: __ June 30, 2025 Wile.

Th fares Zack 11 HELENA M. BARCH-KUCHTA D UNITED STATES MAGISTRATE JUDGE
13 14 15 16 17 18 19 20 21 22 23 24 oo 26 ||! Defendant's consent does not eliminate Plaintiffs'
right to file an amended complaint under Fed. R. Civ. P. 15(a)(1). Ramirez v. Cnty. of San
Bernardino, 806 F.3d 1002, 1008 (9th Cir, 2015) (holding a "[□□□□□□□□□□ 27 || 15(a)(2)
amendment, filed first in time, cannot be construed as a waiver or exhaustion of his automatic
right to amend under 15(a)(1), so long as that amendment was timely." See also T.T. v. Cnty. of
San Diego, No. 28] 319-CV-00407-AJB-AGS, 2020 WL 516146, at *3 (S.D.

Cal. Jan. 31, 2020).