

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

OPINION

Harris v. J.P. Morgan Chase Bank, N.A.

PER CURIAM.

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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.

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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).