

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

v.

IDAHO STATE BOWHUNTERS,
INC. and MANUEL EDMOND
MELLOW JR.,

Defendants.

Case No. 1:24-cv-00203-BLW

**MEMORANDUM DECISION
AND ORDER**

INTRODUCTION

This matter is before the Court on Plaintiff's unopposed Motion for Leave to File a First Amended Complaint. *See* Dkt. 17. For the reasons explained below, the Court will grant the motion.

DISCUSSION

The Federal Rules of Civil Procedure provide that leave to amend pleadings "shall be freely given when justice so requires." Fed. R. Civ. P. 15(a)(2).

Nevertheless, leave to amend need not be granted when the amendment: (1) prejudices the opposing party; (2) is sought in bad faith; (3) produces an undue delay in litigation; or (4) is futile. *See AmerisourceBergen Corp. v. Dialysist W. Inc.*, 465 F.3d 946, 951 (9th Cir. 2006) (citing *Bowles v. Reade*, 198 F.3d 752, 757

(9th Cir. 1999)). “Prejudice to the opposing party is the most important factor.”

Jackson v. Bank of Haw., 902 F.3d 1385, 1397 (9th Cir. 1990) (citing *Zenith Radio Corp. v. Hazeltine Research Inc.*, 401 U.S. 321, 330–31 (1971)).

Here, defendants have not opposed plaintiff’s motion—essentially conceding that they are not prejudiced by the court granting plaintiff leave to amend its complaint. Additionally, the other factors weigh in favor of allowing the amended complaint. Accordingly, the court will grant plaintiff’s motion for leave to file a first amended complaint.

ORDER

IT IS ORDERED that Plaintiff’s unopposed Motion to Amend (Dkt. 17) is **GRANTED**. Within seven days of this Order, Plaintiff shall file a clean version of its first amended complaint. Defendants shall respond to the first amended complaint within 21 days of the date that complaint is filed.



DATED: November 7, 2024

A handwritten signature in black ink, appearing to read "B. Lynn Winmill".

B. Lynn Winmill
United States District Judge