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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Don Addington; John Bostic; Mark  
Burman; Afshin Iranpour; Roger Velez;  
Steve Wargoeki,

Plaintiffs,

vs.

US Airline Pilots Association; US  
Airways, Inc.,

Defendants.

No. CV 08-1633-PHX-NVW  
(consolidated)

**ORDER**

Don Addington; John Bostic; Mark  
Burman; Afshin Iranpour; Roger Velez;  
Steve Wargoeki, et al.,

Plaintiffs,

vs.

Steven Bradford; Paul Diorio; Robert  
Frear; Mark King; Douglas Mowery; John  
Stephan, et al.,

Defendants.

CV08-1728-PHX-NVW

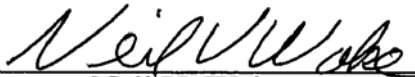
Before the Court is Defendant's Objection to Post-Trial Amendment of the  
Complaint Without Plaintiffs' Compliance with Rule 15 and LRCiv 15.1 (doc. # 573).  
The requirements of the cited rules to tender a proposed amended pleading with a motion  
for leave to amend apply to a party seeking leave to amend a pleading. The Court's order  
of July 7, 2009, found merit in Defendant's objection to the sufficiency of Plaintiffs'

1 current complaint. When finding a pleading insufficient, the Court is required to permit  
2 leave to amend unless it is certain in advance that an amendment would be futile.  
3 Therefore, the requirements of Fed. R. Civ. P. 15 and LRCiv 15.1 do not apply.

4 IT IS THEREFORE ORDERED that Defendant's Objection to Post-Trial  
5 Amendment of the Complaint Without Plaintiffs' Compliance with Rule 15 and LRCiv  
6 15.1 (doc. # 573) is denied.

7 DATED this 13<sup>th</sup> day of July, 2009.

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Neil V. Wake  
United States District Judge