

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GALENA GOINS, et al.,

Plaintiffs,

v.

UNITED PARCEL SERVICE INC, et al.,

Defendants.

Case No. 21-cv-08722-PJH

**ORDER RE FIRST AMENDED
COMPLAINT**

Re: Dkt. No. 26

Prior to the filing of the first amended complaint ("FAC"; Dkt. 26), the court held a case management conference. The civil minutes memorializing that conference state with regard to an anticipated amended complaint, "Plaintiff[s] must move to add new parties or allegations." Dkt. 25.

Plaintiffs filed the FAC on October 7, 2022, naming 15 plaintiffs in addition to the originally-named Galena Goins, Sonia Lopez, and Terry A. Jones-Jackson for a total of 18 plaintiffs. Dkt. 26. No stipulation or motion seeking leave to add the new plaintiffs preceded the amended pleading. Defendants moved to dismiss the FAC but did not object to the addition of the new plaintiffs (Dkt. 27), suggesting that the parties may have stipulated to the introduction of the additional plaintiffs. The issue was not addressed during the hearing on defendants' motion to dismiss.

The court is left unclear as to the status of the later-named plaintiffs. Therefore, on or before December 15, 2022, either (1) the parties shall jointly file a stipulation permitting the addition of the 15 plaintiffs in addition to Goins, Lopez, and Jones-Jackson, or (2) plaintiffs shall file a notice as to whether they will omit the additional plaintiffs or will

anticipate seeking leave to amend and add them in a future pleading.

IT IS SO ORDERED.

Dated: December 8, 2022

/s/ Phyllis J. Hamilton
PHYLLIS J. HAMILTON
United States District Judge

United States District Court
Northern District of California