

peter kuck

From: Rachel M. Baird [rbaird@rachelbairdlaw.com]
Sent: Tuesday, August 03, 2010 12:40 PM
To: peterkuck@comcast.net
Subject: FW: Activity in Case 3:07-cv-01390-VLB Kuck v. Danaher et al Order

Good News! Finally! We should talk more often Peter.

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From: CMECF@ctd.uscourts.gov [mailto:CMECF@ctd.uscourts.gov]
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U.S. District Court

United States District Court for the District of Connecticut

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The following transaction was entered on 8/3/2010 at 12:38 PM EDT and filed on 8/3/2010

Case Name: Kuck v. Danaher et al
Case Number: [3:07-cv-01390-VLB](#)
Filer:
Document Number: 57(No document attached)

Docket Text:

ORDER. In light of the passage of time since dismissal of the Plaintiff's complaint and the Second Circuit's decision affirming dismissal of the Plaintiff's substantive due process and First Amendment retaliation claims, the Court finds it to be in the interests of justice to permit the Plaintiff an opportunity to file an amended complaint alleging all relevant facts, including those that have occurred since

8/3/2010

July 25, 2008, and stating a single cause of action for violation of his right to procedural due process against the parties he contends are proper parties to this claim. See Fed. R. Civ. P. 15(a)(2) ("The court should freely give leave [to amend] when justice so requires."); *Bradley v. Rell*, - F. Supp. 2d -, 2010 WL 1257868, at *12 (N.D.N.Y. Mar. 26, 2010) ("A party should be given leave to amend his complaint to add a new party when justice so requires."). The Plaintiff's amended complaint is due by 9/3/10. The Defendants may thereafter file, within the time limits prescribed by the Federal and Local Rules of Civil Procedure, a renewed motion to dismiss the amended complaint asserting any defenses that have not been rendered moot by the post-dismissal return of the Plaintiff's state permit and/or the Second Circuit's decision on appeal. In addition, the parties are directed to file a case management report pursuant to Fed. R. Civ. P. 26(f) and D. Conn. Loc. R. 26(f) by 8/20/10. Signed by Judge Vanessa L. Bryant on 8/3/10. (Engel, J.)

3:07-cv-01390-VLB Notice has been electronically mailed to:

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