

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)**

SHAWN J. TARDY, et al.;)	
)	
)	
Plaintiffs,)	Case No.: 1:13-cv-02841-CCB
)	
v.)	
)	
MARTIN J. O'MALLEY, et al.;)	
)	
)	
Defendants.)	

**PLAINTIFFS' CONSENT MOTION FOR LEAVE
TO FILE A SECOND AMENDED COMPLAINT**

Plaintiffs hereby move the Court for leave to amend their Complaint, pursuant to Fed. R. Civ. P. 15(a)(2), to remove Plaintiff Matthew Godwin and substitute Plaintiff Stephen Kolbe and to modify the allegations to substitute allegations relating to Mr. Kolbe. File simultaneously with this Motion are the proposed Second Amended Complaint and the proposed Second Amended Complaint with the changes noted as required by Local Rule 103(6)(c). Plaintiffs have conferred with Defendants regarding the filing of a Second Amended Complaint, and the parties have agreed that:

1. Defendants consent to Plaintiffs' Consent Motion for Leave to file the Second Amended Complaint, a copy of which accompanies this Motion along with a copy with the changes noted as required by Local Rule 103(6)(c) .

2. Defendants will have fourteen (14) days from the date this Motion is granted to file their responsive pleading to the Second Amended Complaint. This deadline would supersede

the date in the Plaintiffs' Opposition to Defendants Motion to Dismiss and accompanying Proposed Order Plaintiffs filed November 4, 2013.

3. Plaintiff Kolbe will respond to discovery requests served on Plaintiff Godwin and on the same schedule as Plaintiff Godwin would have responded.

Respectfully submitted,

/s/ John Parker Sweeney

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of November, 2013, copies of this Motion for Leave to File a Second Amended Complaint and proposed order, were served, via electronic delivery to Defendants' counsel via the CM/ECF system, which will forward copies to Counsel of Record.

/s/ John Parker Sweeney
John Parker Sweeney (Bar No. 08761)