

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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WORLD WRESTLING ENTERTAINMENT, INC.,  
  
Plaintiff,  
  
-v-  
  
JAKKS PACIFIC, INC, *et al.*,  
  
Defendants.

Case No. 04-CV-8223 (KMK)  
  
ORDER

KENNETH M. KARAS, District Judge:

On March 30, 2005, Plaintiff filed an Amended Complaint, which adds both new claims and a new Defendant, contending that the filing was justified under Rule 15(a) of the Federal Rules of Civil Procedure. (See Letter from McDevitt to the Court of Mar. 31, 2005, attached to this Order) Recognizing that this filing disturbs the briefing schedule on Defendants' motions to dismiss that the Court established at the last conference with the parties, Plaintiff seeks the Court's approval of an amended briefing schedule. (*Id.* at 1-2) That request is DENIED.

On April 4, 2005, counsel for Jakks Pacific, Inc., submitted a letter to the Court arguing that the Amended Complaint should be rejected because it includes (i) allegations of acts which occurred subsequent to the filing of the initial Complaint and (ii) a new Defendant, each of which requires that Plaintiff seek and obtain leave of the Court prior to filing. (See Letter from Lerner to the Court of Apr. 4, 2005, at 1, attached to this Order) Jakks' letter also calls attention to Plaintiff's failure to respond to Defendants' motions to dismiss according to the Court's briefing schedule. (See *id.* at 2) Jakks accordingly requests that the Court require Plaintiff to obtain leave of the Court to supplement its pleadings and add a new Defendant and to identify

how the Amendment Complaint responds to the dispositive motions raised by Defendants. (See *id.* at 4) This request is GRANTED. Accordingly, it is hereby

ORDERED that Plaintiff shall respond to Jakks' April 4, 2005 letter no later than Monday, April 11, 2005. It is further

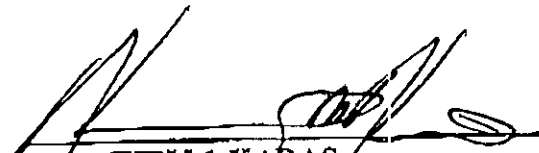
ORDERED that Defendants may reply to Plaintiff's response no later than Thursday, April 14, 2005. It is further

ORDERED that the parties shall appear for a conference at 2:30 p.m., Wednesday, April 27, 2005. It is further

ORDERED that Defendants' time to respond to the Amended Complaint is extended to the April 27, 2005 conference.

SO ORDERED.

Dated: April 6, 2005  
New York, New York



KENNETH M. KARAS  
UNITED STATES DISTRICT JUDGE