<<COURT\_NAME>>

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| <<PROVIDER\_SUITNAME>>,  a/a/o <<INJUREDPARTY\_NAME>>    Plaintiff,  vs.  <<INSURANCECOMPANY\_SUITNAME>>  Defendant. | Case No. <<INDEXORAAA\_NUMBER>> |

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**MOTION FOR LEAVE TO AMEND COMPLAINT**

**COMES NOW**, Plaintiff, <<PROVIDER\_SUITNAME>>, by and through the undersigned counsel, and hereby files this Motion for Leave to Amend Complaint, and in support thereof further states:

1. Plaintiff respectfully requests that this Honorable Court grant Plaintiff leave to amend its Complaint for the reasons set forth below.
2. Fla. R. Civ. P. 1.190.(e) titled “Amendments Generally” states, in relevant part, as follows:

*“At any time in furtherance of justice, upon such terms as may be just, the court may permit any process, proceeding, pleading, or record to be amended or material supplemental matter to be set forth in an amended or supplemental pleading.”*

1. Additionally, Fla. R. Civ. P. 1.190(a) titled “Amendments” states, in part, the following:

*“Leave of court shall be given freely when justice so requires.”*

1. Florida Courts have interpreted this provision to allow a party to amend its pleadings unless there has been an abuse of the amendment privilege, there is prejudice to the opposing part, or an amendment would be futile. *Life General Security Ins. Co*., 667 So.2d 967,969 (Fla.4th DCA 1996); *Spradley v. Stick*, 622 So. 2d 610, 613 (Fla. 1st DCA 1993). This liberal policy of allowing litigants freedom to amend their pleadings allows causes to be resolved on their merits. *See Life General*, 667 So.2d at 969*. Spencer v. Gonzalez*, 731 So. 2d 111, 112 (Fla. 1st DCA 1999); and *Hatcher v. Chandler*, 589 So.2d 428, 429 (Fla 1st DCA 1991).
2. Plaintiff has found that the Defendant name is incorrect due to a scrivenors error and/or has failed to include ceratin documents to the Complaint that may be required under F.S. 627.7152.
3. The above styled action is still in its initial phase, and as such, the granting of this motion will not prejudice the Defendant.
4. As a result, Plaintiff hereby requests that this Honorable Court permit it leave to amend its Complaint to correct the errors stated above.
5. In the event this Motion is granted, the Plaintiff’s requests that this Court accept the Amended Complaint, attached hereto as Exhibit “A” for filing, and respectfully request that this Court deem same as filed as of the date of entry of the Order granting Plaintiff's leave to amend.
6. This Motion is filed in good faith and not for the purpose of delay.

WHEREFORE, Plaintiff, [PLAINTIFF NAME], requests the Court to enter an Order granting the Plaintiff leave to amend the Complaint, or in the alternative accepting Plaintiff’s Amended Complaint attached hereto as an Exhibit, and grant such other further relief that is just and appropriate under the circumstances.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on ­­­­­­­­­­­­­February 19, 2022, a true and correct copy of the foregoing was filed and served on the Defendat through the Florida E-File Portal.

**The Florida Insurance Law Group, LLC**

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