

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DOGGIE DENTAL INC, *et al.*,

Plaintiffs,

v.

WORTHBUYER, *et al.*,

Defendants.

Civil Action No.

19-1283

(Judge Hornak)

PLAINTIFFS' MOTION TO AMEND CAPTION

Plaintiffs Doggie Dental Inc. (“Doggie Dental”) and Peter Dertsakyan (“Dertsakyan”) (collectively, “Plaintiffs”), hereby file the following motion to amend caption pursuant to Fed. R. Civ. P. 15.

Pursuant to Fed. R. Civ. P. (a)(2): “...a party may amend its pleading only with the opposing party’s written consent *or the court’s leave. The court should freely give leave when justice requires.*”(Emphasis added).

In the case, Defendant No. 11 (Family-Store-Online) is correctly named in Schedule “A” of the Complaint filed at ECF No. 2. However, Defendant No. 11 appears as “Family-Online-Store” in the caption of the Complaint. The docket presently indicates that Defendant No. 11 is “Family-Online-Store” instead of the name that appears in Schedule “A” of the Complaint (a copy of which is appended to this motion).

Plaintiffs now move to amend the caption to correct the name of Defendant No. 11 in the docket to reflect that Defendant No. 11 is “Family-Store-Online”.

Plaintiffs submit that the Defendant No. 11 has been served all papers of record in accordance with the Alternative Service Order (ECF No. 18), has not answered, appeared in court, or opposed any of the prior motions or orders of court, and will not be prejudiced if this motion is granted. Plaintiffs further offer that granting this motion will ensure that justice is served.

An appropriate proposed order is filed herewith.

Respectfully submitted,

Dated: January 10, 2020

/s/ Brian Samuel Malkin

Stanley D. Ference III

Pa. ID No. 59899

courts@ferencelaw.com

Brian Samuel Malkin

Pa. ID No. 70448

bmalkin@ferencelaw.com

FERENCE & ASSOCIATES LLC

409 Broad Street

Pittsburgh, Pennsylvania 15143

(412) 741-8400 – Telephone

(412) 741-9292 – Facsimile

Attorneys for Plaintiffs

SCHEDULE “A”
DEFENDANTS BY SELLER ID AND ITEM NUMBER

Defendant No.	Defendant/ eBay Seller ID	Status
1	worthbuyer	Terminated
2	junmaioo-7	Defaulted
3	xieji-52	Defaulted
4	bestbagmall2	Terminated
5	chensini2	Defaulted
6	hanbi-57	Defaulted
7	madline2018	Terminated
8	carmha_84	Defaulted
9	mrsrespect	Defaulted
10	treasures-of-rare	Defaulted
11	family-store-online	Defaulted
12	is_2863	Defaulted
13	joeetrib	Defaulted
14	marandajoshua	Terminated
15	nakaalys	Terminated