

ENTERED

July 30, 2026

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

LIANA DAVIS,

Plaintiff,

v.

CHRISTOPHER COOPRIDER, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:25-CV-00220

ORDER

Before the Court are Plaintiff Liana Davis's motion to require production of communications and documents, (D.E. 84), and Defendant Christopher Coopriders motion for leave to file an amended counterclaim. (D.E. 107).

Pursuant to the discussions at the Court's recent status conferences on July 9, 2026, and July 20, 2026, the Court **DENIES as moot** Plaintiff's motion to require production. (D.E. 84).

Next, the Court addresses Defendant's motion for leave to file an amended counterclaim. (D.E. 107). In assessing whether Defendant is permitted to file an amended counterclaim, the Court considers a variety of factors, including "undue delay, bad faith or dilatory motive on the part of the movant, repeated failures to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, and futility of the amendment." *Jones v. Robinson Prop. Grp., LP*, 427 F.3d 987, 994 (5th Cir. 2005). Defendant failed to attach a proposed amended counterclaim to his motion. (D.E. 107); (D.E. 107-1). This prevents the Court from assessing whether such amendment is permitted, including considering its futility. *Jones*, 427 F.3d at 994. Accordingly, the Court **DENIES without prejudice** Defendant's motion for leave to amend. (D.E. 107); *see Lynch v. Valdez*, 705 F. App'x 295, 296 (5th Cir. 2017)

(per curiam) (finding district court did not abuse its discretion by denying motion for leave because party failed to attach a proposed amended complaint). Should Defendant move for leave to amend, the Court **INSTRUCTS** Defendant to file his proposed amended counterclaim as an exhibit to his motion.

SO ORDERED.



DAVID S. MORALES
UNITED STATES DISTRICT JUDGE

Signed: Corpus Christi, Texas
July 30th, 2026