

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ROY DEN HOLLANDER,

Plaintiff,

CIVIL ACTION NO. 19-cv-02130

-against-

PRESSREADER, Inc.
(formerly NEWSPAPERDIRECT, INC.,
NY DOS ID 2390795)

Defendant.

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Memorandum of law in support of Plaintiff's motion to amend the complaint transferred to this Court from the New York City Civil Court when Defendant removed this case to the S.D.N.Y.

Plaintiff requests leave of this Court to amend the complaint pursuant to Fed. R. Civ. P. 15(a)(2). The complaint that was written and intended for the N.Y.C. Civil Court is now the operating pleading in this Court because Defendant chose to remove the case to this Court. The N.Y.C. Civil Court complaint was limited by that Court's restrictive subject matter jurisdiction in which the N.Y.C. Civil Court cannot hear cases requesting damages of over \$25,000. This Court, however, is not so limited.

Defendant's attorney apparently wanted this case in the Southern District of New York federal court in order to intimidate Plaintiff with Fed. R. Civ. P. 11 sanctions and whatever other advantages he may have perceived. It, therefore,

seems fair that Plaintiff be allowed to amend his complaint to comport with the advantages that he perceives may inure to him in a federal court.

Fed. R. Civ. P. 15(a)(2) states that “The court should freely give leave when justice so requires.” Now that the Defense attorney has completed his forum shopping, it seems just that Plaintiff should be allowed to adapt his case to the new forum. A copy of the requested amended complaint is attached as exhibit A.

Dated: New York, New York
April 11, 2019

Respectfully submitted,

s/Roy Den Hollander
Roy Den Hollander, Esq.
Plaintiff and Attorney
545 East 14th Street, 10D
New York, N.Y. 10009
(917) 687-0652
roy17den@gmail.com