

# In the United States Bankruptcy Court

## for the Northern District of Iowa

---

MARK WILLIAM KAUFMAN  
Debtor.

Bankruptcy No. 94-20551KD  
Chapter 7

---

DEAN ROBEY  
Plaintiff

Adversary No. 94-2094KD

vs.

MARK WILLIAM KAUFMAN  
Defendant.

---

### ORDER

---

On November 25, 1994, Plaintiff filed an amended Motion for Leave to Amend Pleadings. In said Motion, Plaintiff seeks approval of a Motion for Leave to Amend the Complaint to determine dischargeability of a debt by adding an attachment to the original Motion marked as Exhibit "A". Plaintiff asks that the amended motion be approved without the necessity of filing a second copy.

On December 8, 1994, Defendant filed an Answer to the amended complaint. Defendant did not make any specific objection to the Motion for Leave to Amend.

The Court having examined the file and the most recent pleadings finds that the Motion for Leave to Amend should be granted as it appears to be a technical amendment and based upon the fact that Defendant has filed a responsive pleading without lodging any objection to the amendment itself.

However, the Court observes that Plaintiff asks that the Court allow the amendment without the necessity of filing a second copy. While the Court understands that it is more convenient to approve such amendments, the Court also notes that we now function in a computerized society. If the Court approves the amendment without the necessity of filing a second copy, the amended complaint would then never be docketed as a separate item for computer purposes. One response would be to remove the amendment and file that as a separate document, however, this is also inappropriate because it then cannibalizes the original motion to amend. Therefore, there is no satisfactory resolution to this problem other than to ask the amending party to file a separate pleading after the amendment is approved.

**WHEREFORE**, the Amended Motion for Leave to Amend Pleadings filed November 25, 1994 is GRANTED.

**FURTHER**, Plaintiff shall file the amended pleadings no later than 10 days after the entry of this order.

**SO ORDERED** this 9th day of December, 1994.

Paul J. Kilburg  
U.S. Bankruptcy Judge