STATE OF MICHIGAN

COURT OF CLAIMS

SHALESH BERI,

Plaintiff,

v Case No. 25-000117-MM

MICHIGAN GAMING CONTROL BOARD, Hon. Sima G. Patel

Defendant.
_____/

ORDER GRANTING PLAINTIFF'S MOTION TO FILE THIRD AMENDED COMPLAINT AND DEFENDANT'S MOTION FOR TIME EXTENSION TO FILE RESPONSIVE PLEADING

On July 2, 2026, consistent with this Court's June 17, 2026 Opinion and Order, plaintiff filed a second amended complaint. On July 14, 2026, plaintiff moved to file a third amended complaint and defendant requested a time extension for its response to plaintiff's second amended complaint.

MCR 2.118(A)(2) states that leave to file an amended complaint "shall be freely given when justice so requires." "Leave to amend should be denied only for particularized reasons, such as undue delay, bad faith or dilatory motive on the movant's part, repeated failure to cure deficiencies by amendment previously allowed, undue prejudice to the opposing party, or where amendment would be futile." *Miller v Chapman Contracting*, 477 Mich 102, 105; 730 NW2d 462 (2007) (cleaned up). This is plaintiff's first request to amend his complaint to clarify the allegations within. The Court will grant leave and accept the third amended complaint for filing.

However, the Court advises plaintiff that further motions to amend the complaint will be considered "repeated failures to cure deficiencies."

The Court also grants defendant's motion to extend the time for its first responsive pleading. Given that the Court is granting plaintiff's motion to file a third amended complaint, the Court will grant defendant additional time for its response.

IT IS ORDERED:

1. The Court GRANTS plaintiff's motion to file a third amended complaint.
2. The Court ACCEPTS FOR FILING the third amended complaint accompanying plaintiff's July 14, 2026 motion.
3. The Court GRANTS defendant's motion for a time extension to file a response.
4. Defendant is DIRECTED to file its first responsive pleading to the third amended complaint no later than August 27, 2026.

Date: July 15, 2026

Sima G. Patel
Judge, Court of Claims