You’d have the option of reiterating your argument in the Notice of Errata “that Horatio is not a party to this action” and “Horatio’s name was inadvertently included in the CAPTION only.” The argument isn’t compelling as the Notice of Errata was filed more than 19 months after the Complaint was filed and Horatio was was referenced throughout the Complaint and in each of the causes of action in the Complaint.