

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Aghanazari v. American Medical Response Ambulance Service, Inc.

Aghanazari · No. 2:22-cv-00630-TLN-AC · Decided March 27, 2025

SUMMARY

The United States District Court for the Eastern District of California granted American Medical Response Ambulance Service, Inc.’s motion to dismiss claims arising from alleged conduct by a paramedic during an in-flight medical emergency. The court held that the claims were subject to California’s Medical Injury Compensation Reform Act statute of limitations and were time-barred because the action was filed more than one year after the alleged injury. The dismissal was without leave to amend, and the case was closed.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Troy L. Nunley
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 27, 2025
DOCKET	2:22-cv-00630-TLN-AC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss plaintiffs' Second Amended Complaint as time-barred and for failure to state sufficient claims. The court granted the motion without leave to amend.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court tests the legal sufficiency of the complaint, accepts well-pleaded factual allegations as true, draws reasonable inferences in plaintiffs' favor, and determines whether the complaint states a facially plausible claim for relief. Legal conclusions and conclusory allegations are not presumed true.
PRECEDENTIAL VALUE	unpublished district court order; persuasive value only

TOPICS

- statute of limitations
- motions to dismiss
- professional negligence
- medical malpractice
- civil procedure

PRACTICE AREAS

civil procedure

statute of limitations

medical malpractice

professional negligence

torts

QUESTIONS PRESENTED

1. Whether California or Nevada substantive law governed the statute-of-limitations issue.
2. Whether the claims against AMR and DOE 2 arose from professional negligence by a health care provider and therefore fell within MICRA and California Code of Civil Procedure section 340.5.
3. Whether plaintiffs' claims were time-barred because the injuries were discovered on the date of the alleged incident.
4. Whether plaintiffs should be granted leave to amend.

HOLDINGS

1. There was no material conflict between California and Nevada law because the analogous statutes of limitations would produce the same result; therefore, the court ended its governmental-interest choice-of-law analysis at the first step.
2. The claims against AMR and DOE 2 were subject to MICRA because DOE 2 was alleged to be a paramedic, a health care provider under California Code of Civil Procedure section 340.5, and the gravamen of the claims was professional negligence in rendering medical assistance.
3. Plaintiffs' claims were barred by California Code of Civil Procedure section 340.5 because the alleged injuries were discovered on September 24, 2019, but plaintiffs did not file their original complaint until September 3, 2021.
4. Leave to amend was denied because plaintiffs could not cure the statute-of-limitations defect through additional factual allegations or by changing the description of DOE 2.

KEY QUOTATIONS

“Courts must look past the labels Plaintiffs use and examine the nature or gravamen of the claim.” (at 5)

“Because the Court finds “other facts consistent with the challenged pleading could not possibly cure the deficiency” discussed above, the Court GRANTS AMR’s Motion to Dismiss without leave to amend.” (at 8)

FACTUAL BACKGROUND

On September 24, 2019, plaintiffs were traveling on a Southwest Airlines flight that diverted to Las Vegas after Aghanazari began experiencing heart attack symptoms. A paramedic employed by AMR allegedly treated Aghanazari roughly and violently while placing him on a gurney, including grabbing and jerking him. Aghanazari was transported to a Las Vegas hospital and diagnosed with an arterial blockage, while Moghadam alleged that she suffered emotional distress and trauma after observing the paramedic's conduct.

PROCEDURAL HISTORY

Plaintiffs filed the action in Sacramento Superior Court on September 3, 2021. Southwest Airlines removed the action to the Eastern District of California based on diversity jurisdiction, and plaintiffs later filed a Second Amended Complaint asserting assault, battery, negligence, negligent infliction of emotional distress, and intentional infliction of emotional distress claims against AMR and DOE 2. Southwest was dismissed on October 16, 2023. AMR moved to dismiss, and the court granted the motion without leave to amend because the claims were barred by California's MICRA statute of limitations.

DISPOSITION

dismissed

CASES CITED

- Navarro v. Block, 250 F.3d 729, 732 (9th Cir. 2001)
- Ashcroft v. Iqbal, 556 U.S. 662, 677-80 (2009)
- Bell Atlantic v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Swierkiewicz v. Sorema N.A., 534 U.S. 506, 512 (2002)
- Cruz v. Beto, 405 U.S. 319, 322 (1972)
- Retail Clerks International Ass'n v. Schermerhorn, 373 U.S. 746, 753 n.6 (1963)
- U.S. ex rel. Chunie v. Ringrose, 788 F.2d 638, 643 n.2 (9th Cir. 1986)
- Adams v. Johnson, 355 F.3d 1179, 1183 (9th Cir. 2004)
- Associated General Contractors of California, Inc. v. California State Council of Carpenters, 459 U.S. 519, 526 (1983)
- Lopez v. Smith, 203 F.3d 1122, 1130 (9th Cir. 2000) (en banc)
- Doe v. United States, 58 F.3d 494, 497 (9th Cir. 1995)
- Gardner v. Martino, 563 F.3d 981, 990 (9th Cir. 2009)
- Ecological Rights Foundation v. Pacific Gas & Electric Co., 713 F.3d 502, 520 (9th Cir. 2013)
- Miller v. Yokohama Tire Corp., 358 F.3d 616, 622 (9th Cir. 2004)
- Atlantic Marine Construction Co. v. United States District Court for the Western District of Texas, 571 U.S. 49, 65 (2013)
- McCann v. Foster Wheeler LLC, 48 Cal. 4th 68, 87 (2010)
- Gerson v. Logan River Academy, 20 F.4th 1263, 1270 (10th Cir. 2021)
- EVGA Corp. v. B & H Foto & Electronics Corp., No. 19-CV-02230-JLS-ADS, 2020 WL 5028321, at *4 (C.D. Cal. June 22, 2020)
- Flores v. Presbyterian Intercommunity Hospital, 63 Cal. 4th 75, 79, 369 P.3d 229, 230 (2016)
- Canister v. Emergency Ambulance Service, 160 Cal. App. 4th 388, 404-06 (2008)
- Smith v. Ben Bennett, Inc., 133 Cal. App. 4th 1507, 1514 (2005)
- Larson v. UHS of Rancho Springs, Inc., 230 Cal. App. 4th 336, 347, 351, 354 (2014), as modified (Oct. 2, 2014)
- Sanchez v. South Hoover Hospital, 18 Cal. 3d 93, 101 (1976)

- Telesaurus VPC, LLC v. Power, 623 F.3d 998, 1003 (9th Cir. 2010)

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