

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

Crescent Mine, LLC v. Bunker Hill Mining Corporation; Placer Mining Corporation (d/b/a New Bunker Hill Mining Co.)

Crescent Mine · No. 2:21-cv-00310-DCN · Decided April 8, 2026

SUMMARY

The United States District Court for the District of Idaho ruled on motions to amend pleadings and motions to seal in consolidated litigation involving CERCLA response costs and related state-law claims arising from mining activities. The court granted Bunker Hill Mining Corporation's motion to add a statute-of-limitations defense, denied Crescent Mine's request to add plaintiffs and seek punitive damages, and granted three motions to seal. The punitive-damages request was denied without prejudice.

CASE DETAILS

COURT	United States District Court for the District of Idaho
JURISDICTION	United States District Court for the District of Idaho
DECIDED	April 8, 2026
DOCKET	2:21-cv-00310-DCN
DISPOSITION	other
PROCEDURAL POSTURE	The district court ruled on two motions to amend pleadings and three motions to seal portions of the record in consolidated CERCLA and state-law litigation.
STANDARD OF REVIEW	A motion to amend filed after the scheduling-order deadline is governed first by Federal Rule of Civil Procedure 16(b)'s good-cause standard, which primarily considers the moving party's diligence. If good cause is shown, the court then applies Rule 15(a)'s liberal amendment standard. A motion to add punitive damages under Idaho Code section 6-1604(2) requires the court to weigh the submitted evidence and determine whether there is a reasonable probability that the claimant can prove facts sufficient to support punitive damages. Motions to seal judicial records associated with dispositive motions are evaluated under the compelling-reasons standard.
PRECEDENTIAL VALUE	unknown

PARTIES

Crescent Mine, LLC v. Bunker Hill Mining Corporation, Placer Mining Corporation (d/b/a New Bunker Hill Mining Co.)

TOPICS

motion to amend

statute of limitations

affirmative defenses

civil procedure

damages

PRACTICE AREAS

civil procedure

environmental law

CERCLA

remedies

QUESTIONS PRESENTED

1. Whether Bunker Hill Mining Corporation established good cause under Federal Rule of Civil Procedure 16(b) and satisfied Rule 15(a) to amend its answers to add a statute-of-limitations affirmative defense.
2. Whether Crescent Mine established good cause under Rule 16(b) to amend its complaint to add Crescent Silver, LLC and Syringa Exploration, Inc. as plaintiffs after the amendment and discovery deadlines.
3. Whether Crescent Mine demonstrated under Idaho Code section 6-1604(2) a reasonable probability of proving facts sufficient to support a punitive-damages award.
4. Whether the materials identified in the three motions to seal qualified for sealing under the compelling-reasons standard governing judicial records associated with dispositive motions.

HOLDINGS

1. Bunker Hill established good cause under Rule 16(b) because the expert report presented a potentially new theory of ongoing water movement and Bunker Hill moved promptly after that theory arose. The amendment was also permissible under Rule 15(a), so the motion to amend the answers was granted.
2. Crescent failed to establish good cause under Rule 16(b) because it did not explain its lack of diligence in waiting more than two years after the amendment deadline and six months after discovery closed. The request to add Crescent Silver, LLC and Syringa Exploration, Inc. as plaintiffs was denied with prejudice.
3. Crescent's motion to add a punitive-damages claim was denied without prejudice because the present record did not permit the court to determine as a matter of law that a punitive-damages instruction was appropriate.
4. The three motions to seal were granted because the identified materials fell within the parties' stipulated protective order and primarily contained financial information or trade secrets, providing compelling reasons to overcome the presumption of public access.

KEY QUOTATIONS

“If that party was not diligent, the inquiry should end.”

“The Idaho Supreme Court recognized that the “trial court plays a vital gatekeeping role under section 6-1604(2).””

“Instead of simply examining the language of the proposed amended pleading when determining whether to grant a motion to amend, subsection (2) requires the trial court to ‘weigh’ the evidence presented by the moving party in support of its motion and determine, after a hearing on the motion, whether there is a ‘reasonable probability’ of ‘proving facts at trial’ which are ‘sufficient’ to support an award of punitive damages.”

FACTUAL BACKGROUND

Crescent alleged that water and acid mine drainage from the Bunker Hill Mine entered or affected the Crescent Mine and asserted CERCLA response-cost and state-law claims. After the deadline for amending pleadings, Crescent produced an expert report discussing possible continuing movement of water between the mines and the relative sources of water and acid mine drainage. Bunker Hill sought to add a statute-of-limitations defense based on that theory, while Crescent sought to add Crescent Silver, LLC and Syringa Exploration, Inc. as plaintiffs and to seek punitive damages. The parties also sought to seal financial, confidential, and trade-secret materials submitted with summary-judgment papers.

PROCEDURAL HISTORY

The cases were consolidated in 2022. The scheduling order set November 15, 2022, as the deadline for amended pleadings and joining parties. Bunker Hill Mining Corporation moved in July 2024 to amend its answers to add a statute-of-limitations defense, and Crescent Mine moved in December 2024 to add two plaintiffs and a punitive-damages claim. The court also considered three motions to seal materials associated with summary-judgment briefing.

DISPOSITION

other

CASES CITED

- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604, 608-09 (9th Cir. 1992)
- Barden v. Goodsell, 2022 WL 11734742, at *3 (D. Idaho 2022)
- Eminence Cap., LLC v. Aspeon, Inc., 316 F.3d 1048, 1051 (9th Cir. 2003)
- Stanton v. Battelle Energy Alliance, LLC, 83 F. Supp. 3d 937, 948-49 (D. Idaho 2015)
- In re Western States Wholesale Natural Gas Antitrust Litigation, 715 F.3d 716, 738 (9th Cir. 2013)
- DCD Programs, Ltd. v. Leighton, 833 F.2d 183, 186 (9th Cir. 1987)
- Lemar v. CVS Pharmacy, Inc., 2014 WL 12725107 (C.C. Cal. 2014)
- Nixon v. Warner Communications, Inc., 435 U.S. 589, 597 n.7, 598-99 (1978)
- Center for Auto Safety v. Chrysler Group, LLC, 809 F.3d 1092, 1096-98 (9th Cir. 2016)
- Kamakana v. City & County of Honolulu, 447 F.3d 1172, 1178-79 (9th Cir. 2006)
- In re Electronic Arts, Inc., 298 F. App'x 568, 569 (9th Cir. 2008)
- Davis v. Blast Properties, 551 P.3d 706, 708-09 (Idaho 2024)

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