

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Maria Lopez v. Target Corporation

No. 25-cv-07595-JCS (N.D. Cal. Oct. 29, 2025) · No. 25-cv-07595-JCS · Decided October 29, 2025

SUMMARY

The United States District Court for the Northern District of California granted Maria Lopez leave to amend her slip-and-fall complaint to add Target employees Raul Medina and Lotty Rocha as defendants. Because the proposed defendants were nondiverse California residents, the court deferred ruling on remand and stated that it would address that request in a separate order or report and recommendation.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Joseph C. Spero
JURISDICTION	United States District Court for the Northern District of California
DECIDED	October 29, 2025
DOCKET	25-cv-07595-JCS
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to amend her complaint to add two nondiverse Target employees as defendants and to remand the removed diversity action to state court.
STANDARD OF REVIEW	The court exercised discretion under 28 U.S.C. § 1447(e), considering whether joinder should be permitted after removal when joinder would destroy subject matter jurisdiction.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Maria Lopez v. Target Corporation

TOPICS

- motion to amend
- joinder
- subject matter jurisdiction
- civil procedure
- premises liability

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should permit Lopez to amend her complaint under 28 U.S.C. § 1447(e) to add nondiverse defendants whose joinder would destroy diversity jurisdiction.
2. Whether the proposed negligence and premises-liability claims against Medina and Rocha appeared valid and were asserted for purposes other than solely defeating federal jurisdiction.

HOLDINGS

1. Under 28 U.S.C. § 1447(e), a district court has discretion either to deny joinder of nondiverse defendants or to permit joinder and remand the action, and the relevant factors favored permitting Lopez to amend her complaint to add Medina and Rocha.
2. For purposes of joinder under § 1447(e), Lopez's negligence and premises-liability claims against Medina and Rocha appeared valid; the allegations therefore did not establish that joinder was sought solely to defeat diversity jurisdiction.

KEY QUOTATIONS

“the court may deny joinder, or permit joinder and remand the action to the State court.” (at 1)

“The language of § 1447(e) is couched in permissive terms and it clearly gives the district court the discretion” (at 1)

“In sum, the Court concludes that Lopez’s claims against Rocha and Medina appear valid and therefore, that she is not seeking to add them as defendants solely to destroy diversity.” (at 3)

FACTUAL BACKGROUND

Lopez alleged that she slipped on a cream-like substance while walking in the cosmetics aisle of a Target store in Richmond, California, on September 10, 2023, sustaining severe and permanent injuries. She asserted negligence and premises-liability claims against Target and Doe defendants alleged to include Target agents and employees. After investigating, Lopez identified Raul Medina and Lotty Rocha, Target managers or supervisors, as individuals allegedly involved in the unsafe condition.

PROCEDURAL HISTORY

Lopez filed negligence and premises-liability claims against Target and Doe defendants in Contra Costa Superior Court. Target answered and removed the action to federal court based on diversity jurisdiction. Lopez then moved to amend to identify and join Raul Medina and Lotty Rocha, alleged California residents whose joinder would destroy diversity. The court granted leave to amend but reserved the remand issue for a separate order or report and recommendation.

DISPOSITION

other

REMAND INSTRUCTIONS

Plaintiff was directed to file the Proposed First Amended Complaint as a separate pleading. Within 30 days, Target's counsel was directed to determine whether the new defendants would consent to magistrate jurisdiction or would retain separate counsel. The court reserved the request for remand for a separate order or report and recommendation.

CASES CITED

- Flam v. Flam, 788 F.3d 1043, 1047 (9th Cir. 2015)
- Newcombe v. Adolf Coors Co., 157 F.3d 686, 691 (9th Cir. 1998)
- IBC Aviation Servs., Inc. v. Compania Mexicana de Aviacion, S.A. de C.V., 125 F. Supp. 2d 1008, 1011-12 (N.D. Cal. 2000)
- Righetti v. Shell Oil Co., 711 F. Supp. 531, 534-35 (N.D. Cal. 1989)
- Taylor v. Honeywell Corp., No. C 09-4947 SBA, 2010 WL 1881459, at *2 (N.D. Cal. May 10, 2010)
- CP National Corp. v. Bonneville Power Administration, 928 F.2d 905, 912 (9th Cir. 1991)
- Trotman v. United Parcel Service, 1996 WL 428333, at *1 (N.D. Cal. 1996)
- Peredia v. HR Mobile Servs., Inc., 25 Cal. App. 5th 680, 692 (2018)
- Burch v. Ford Motor Co., 758 F. Supp. 3d 1092, 1100-01 (N.D. Cal. 2024)
- Sabag v. FCA US, LLC, 2016 WL 6581154, at *6 (C.D. Cal. Nov. 7, 2016)
- McGrath v. Home Depot USA, Inc., 298 F.R.D. 601, 608 (S.D. Cal. 2014)
- Buttons v. National Broadcasting Co., 858 F. Supp. 1025, 1027 (C.D. Cal. 1994)
- Dordoni v. FCA US LLC, 2020 WL 6082132, at *4-*5
- Reyes v. FCA US LLC, 2020 WL 7224286, at *6 (E.D. Cal. Dec. 8, 2020)
- Freeman v. Cardinal Health Pharmacy Servs., LLC, 2015 WL 2006183, at *3 (E.D. Cal. May 1, 2015)
- Hardin v. Wal-Mart Stores, Inc., 813 F. Supp. 2d 1167, 1174 (E.D. Cal. 2011)
- Pacheco v. Home Depot U.S.A., Inc., 2025 WL 314146, at *2 (N.D. Cal. Jan. 28, 2025)
- Berryhill v. Costco Wholesale Corp., 2023 WL 3302869, at *2 (E.D. Cal. May 8, 2023)
- Nieves v. Costco Wholesale Corp., 2022 WL 5199904, at *2 (N.D. Cal. Oct. 5, 2022)