

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
GEORGIA, ATLANTA DIVISION

Zipporah Ford v. Landon Norris

Ford v. Norris · No. 1:25-CV-2356-TWT · Decided June 22, 2026

SUMMARY

The United States District Court for the Northern District of Georgia grants Copart, Inc.'s motion for judgment on the pleadings and dismisses Copart as a party in a personal injury action arising from a motor vehicle collision. The court grants Plaintiff Zipporah Ford leave to amend the complaint to substitute Valfair Construction, Inc. as the proper employer defendant and extends the discovery period and other scheduling deadlines by 120 days; the motion to strike expert testimony is denied as moot.

CASE DETAILS

COURT	United States District Court for the Northern District of Georgia, Atlanta Division
WRITING FOR THE COURT	Thomas W. Thrash, Jr.
JURISDICTION	United States District Court for the Northern District of Georgia
DECIDED	June 22, 2026
DOCKET	1:25-CV-2356-TWT
DISPOSITION	other
PROCEDURAL POSTURE	Personal injury action arising from a motor vehicle collision. The court considered a defendant's motion for judgment on the pleadings, motions concerning amendment and substitution of a party, a motion to amend the scheduling order, and a motion to exclude expert testimony.
STANDARD OF REVIEW	A motion for judgment on the pleadings is governed by the same standard as a Rule 12(b)(6) motion. The court accepts pleaded facts as true and construes them in the light most favorable to the nonmoving party. Judgment on the pleadings is appropriate when there are no material facts in dispute and the moving party is entitled to judgment as a matter of law. Leave to amend under Rule 15(a)(2) is discretionary and should generally be granted when justice so requires, absent undue delay, bad faith, repeated failure to cure deficiencies, undue prejudice, or futility.

PRECEDENTIAL VALUE	Unknown; district court opinion and order with no reported citation.
PARTIES	Zipporah Ford v. Landon Norris, Copart, Inc., Valfair Construction, Inc.

TOPICS

motion for judgment on the pleadings

motion to amend

civil procedure

discovery dispute

personal injury

PRACTICE AREAS

civil procedure

personal injury

negligence

QUESTIONS PRESENTED

1. Whether Copart, Inc. was entitled to judgment on the pleadings because it was not Norris's employer and was improperly named as a defendant.
2. Whether Ford should be granted leave under Rule 15(a)(2) to substitute Valfair Construction, Inc. for Copart, Inc. and file a second amended complaint.
3. Whether the scheduling order should be amended to extend discovery and related deadlines by 120 days.
4. Whether the defendants' motion to strike or exclude expert testimony should be denied as moot after the discovery period was extended.

HOLDINGS

1. Copart, Inc. was entitled to judgment on the pleadings and was dismissed as a party because it was a distinct legal entity from the employer, Valfair Construction, Inc., and was not Norris's employer.
2. Ford was granted leave to amend her complaint to name Valfair Construction, Inc. as the defendant employer rather than Copart, Inc. d/b/a Valfair Construction, Inc.
3. The scheduling order was amended, extending the discovery period and all other deadlines by 120 days from the date of the order.
4. The motion to strike, construed as a motion to exclude expert testimony under Rule 37(c)(1) and Local Rule 26(C), was denied as moot because the discovery and expert-disclosure period was extended.

KEY QUOTATIONS

“A motion for judgment on the pleadings is governed by the same standard as a motion to dismiss under Rule 12(b)(6).” (3)

“A complaint should be dismissed under Rule 12(b)(6) only where it appears that the facts alleged fail to state a “plausible” claim for relief.” (3)

“district courts should generally exercise their discretion in favor of allowing amendments to reach the merits of a dispute.” (3)

“Plaintiff Ford shall have fourteen days from the date of this Order to file her Second Amended Complaint, naming “Valfair Construction, Inc.” as a Defendant rather than “Copart, Inc. d/b/a Valfair Construction, Inc.”” (8)

FACTUAL BACKGROUND

The case arose from a June 2024 motor vehicle collision between Ford and Norris. Ford alleged that she suffered severe and permanent injuries. Her amended complaint alleged that Norris was operating a tractor trailer within the course and scope of his employment and named Copart, Inc. d/b/a Valfair Construction, Inc. as the employer. The vehicle documents and undisputed information showed that Copart, Inc. was a distinct entity from Copart Excavation, Inc. and Valfair Construction, Inc., while Valfair was the entity that employed Norris.

PROCEDURAL HISTORY

Ford filed an amended complaint naming Copart, Inc. d/b/a Valfair Construction, Inc. as an additional defendant and alleging that Norris was acting within the scope of his employment. Copart moved for judgment on the pleadings, asserting that it was a distinct entity from the employer, Valfair Construction, Inc. Ford agreed that Valfair was the proper employer and moved to substitute Valfair and amend the complaint. The court dismissed Copart, granted Ford leave to file a second amended complaint naming Valfair, extended discovery and other deadlines by 120 days, and denied the motion to strike as moot.

DISPOSITION

other

CASES CITED

- 405 F.3d 1251, 1253 (11th Cir. 2005)
- 910 F.3d 1345, 1350 (11th Cir. 2018)
- 556 U.S. 662, 678 (2009)
- 550 U.S. 544, 556 (2007)
- 7 F.4th 989, 1000 (11th Cir. 2021)
- 48 F.4th 1202, 1220 (11th Cir. 2022)
- 304 F.3d 1125, 1134-35 (11th Cir. 2002)

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