

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Pitpit v. Teamsters Local No. 150 and Dale Wentz

Pitpit · No. 2:24-cv-00321-KJM-CSK · Decided June 24, 2025

SUMMARY

The United States District Court for the Eastern District of California grants defendants’ renewed motion to dismiss Kelli Pitpit’s amended complaint against Teamsters Local No. 150 and Dale Wentz. The court concludes that the allegations do not plausibly show denial of rights accorded to other union members or actionable retaliation, and dismisses the case without leave to amend.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 24, 2025
DOCKET	2:24-cv-00321-KJM-CSK
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved under Federal Rules of Civil Procedure 12(b)(6) and 12(c) to dismiss or obtain judgment on the pleadings against plaintiff's amended complaint.
STANDARD OF REVIEW	The court applied the same legal standard to the Rule 12(b)(6) and Rule 12(c) motions: the complaint must contain factual allegations that, assumed true, permit a plausible inference that defendants may be liable.
PRECEDENTIAL VALUE	District court order; precedential status not identified in the source.
PARTIES	Kelli Pitpit v. Teamsters Local No. 150, Dale Wentz

TOPICS

- motions to dismiss
- motion for judgment on the pleadings
- civil procedure
- labor law
- civil rights

PRACTICE AREAS

- labor law
- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether the amended complaint stated a plausible claim for relief under the applicable pleading standard.
2. Whether the allegations showed that the Union denied Pitpit a right accorded to other members.
3. Whether the alleged conduct constituted retaliatory action supporting a claim under section 101(a).
4. Whether Pitpit should be granted further leave to amend.

HOLDINGS

1. The amended complaint failed to state a plausible claim because its allegations did not support an inference that defendants were liable.
2. Pitpit did not adequately allege that the Union denied her a right it had accorded to other members.
3. Pitpit did not allege the sort of retaliatory action that can support a claim under section 101(a).
4. Further amendment was denied because the court could conceive of no amendment that would permit a viable claim, and Pitpit identified no additional allegations or requested leave to amend.

KEY QUOTATIONS

“In short, Pitpit must support each claim for relief with factual allegations that, assumed true, allow a plausible inference of the defendants’ potential liability.”

“The court can conceive of no amendments that would permit her to pursue a viable claim”

FACTUAL BACKGROUND

Pitpit sued Teamsters Local No. 150 and Dale Wentz based on allegations concerning union-member rights and retaliatory action. The court found that the allegations did not show that the Union denied Pitpit a right it had accorded to other members or that defendants subjected her to retaliatory action supporting a claim under section 101(a). The court further concluded that the identified deficiencies could not be cured by amendment.

PROCEDURAL HISTORY

The court previously dismissed Pitpit's complaint with leave to amend. Pitpit filed an amended complaint, and defendants again moved to dismiss. After briefing, the court submitted the motion without a hearing and dismissed the amended complaint without leave to amend, directing the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Gregg v. Hawaii, Dep't Public Safety, 870 F.3d 883, 887 (9th Cir. 2017)
- Ashcroft v. Iqbal, 556 U.S. 662, 679 (2009)

- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Ackley v. W. Conf. of Teamsters, 958 F.2d 1463, 1474 (9th Cir. 1992)
- Casumpang v. Int'l Longshoremen's & Warehousemen's Union, Loc. 142, 269 F.3d 1042, 1057 (9th Cir. 2001)

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