

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Hall v. Google LLC

Hall · No. 23-cv-06574-JST · Decided June 2, 2025

SUMMARY

The United States District Court for the Northern District of California granted Defendants’ motion to strike Jalon R. Hall’s second amended complaint. The court held that Hall filed the second amended complaint without obtaining the opposing parties’ written consent or the court’s leave, as required by Federal Rule of Civil Procedure 15.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Jon S. Tigar
JURISDICTION	United States District Court for the Northern District of California
DECIDED	June 2, 2025
DOCKET	23-cv-06574-JST
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved to strike Plaintiff's second amended complaint under Federal Rule of Civil Procedure 15 because Plaintiff filed it without obtaining leave of court or Defendants' consent.
PRECEDENTIAL VALUE	Unknown

TOPICS

- motion to amend
- pleadings
- civil procedure

PRACTICE AREAS

- civil procedure

QUESTIONS PRESENTED

1. Whether Plaintiff could file a second amended complaint without obtaining Defendants' written consent or leave of court under Federal Rule of Civil Procedure 15.

HOLDINGS

1. A party may not file a second amended complaint without opposing-party consent or court leave when the amendment is not permitted as a matter of course under Rule 15(a)(1). A scheduling-order deadline for filing the amendment does not eliminate the separate requirements of Rule 15(a)(2).

KEY QUOTATIONS

“In all other cases, a party may amend its pleading only with the opposing party's written consent or the court's leave.” (at 1)

FACTUAL BACKGROUND

After filing an initial complaint and a first amended complaint pursuant to a stipulation, Hall filed a second amended complaint on February 28, 2025. Although the court had set that date as the deadline for filing any second amended complaint, Hall did not obtain leave of court or Defendants' written consent before filing.

PROCEDURAL HISTORY

Hall filed her initial complaint on December 21, 2023, and her first amended complaint on August 26, 2024, after the parties stipulated to amendment. She filed a second amended complaint on February 28, 2025, without leave of court or Defendants' consent. The court granted Defendants' motion to strike the second amended complaint.

DISPOSITION

other

CASES CITED

- P. Marine Ctr., Inc., No. 1:09 CV 1409 LJO-GSA, 2010 WL 3034510, at *2 (E.D. Cal. July 30, 2010)

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
JALON R. HALL, Case No. 23-cv-06574-JST 8 Plaintiff, ORDER GRANTING MOTION TO 9
v. STRIKE 10 GOOGLE LLC, et al., Re: ECF No. 81 Defendants. 11 12 13 Before the Court is
Defendants Google, LLC and Jamila Smith's (together, "Defendants") 14 motion to strike, ECF
No. 81, Plaintiff Jalon R. Hall's second amended complaint, ECF No. 77.

15 The Court will grant the motion. 16 Hall filed her initial complaint on December 21, 2023. ECF
No. 1. After the parties 17 stipulated to allow Hall to amend her complaint, Hall filed her first
amended complaint on August 18 26, 2024. ECF No. 49. Hall then filed a second amended
complaint on February 28, 2025. ECF 19 No. 77. She did so without obtaining leave from the
Court or Defendants' consent, in violation of 20 the requirements of Rule 15.

21 Under Rule 15, a party may amend its pleading once as a matter of course within a certain 22
time of service. See Fed. R. Civ. P. 15(a)(1). "In all other cases, a party may amend its pleading 23

only with the opposing party's written consent or the court's leave.” See Fed. R. Civ. P. 15(a)(2).
24 As Defendants correctly point out, the Court’s setting of February 28, 2025, as the deadline for
25 Hall to file any second amended complaint did not relieve Hall from having to comply with
Rule 26 15.

See P. Marine Ctr., Inc., No. 1:09 CV 1409 LJO-GSA, 2010 WL 3034510, at *2 (E.D. Cal. 27 July
30, 2010) (“[A]lthough the scheduling order indicated that Plaintiffs needed to forward any 1 of
their obligations under Rule 15 of the Federal Rule of Civil Procedure....

Therefore, 2 || Defendants’ Motions to Strike the SAC shall be granted.”’). 3 Accordingly, the
Court grants Defendants’ motion to strike Hall’s second amended 4 || complaint. 5 IT IS SO
ORDERED. 6 || Dated: June 2, 2025. 7 JON S. TIGA 8 United States District Judge 9 10 11 a 12
15 16 it 4 18 19 20 21 22 23 24 25 26 27 28