

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Jon Lewis v. Synchrony Bank

No. 2:24-cv-0110-DC-JDP (PS) (E.D. Cal. Oct. 21, 2025) · No. 2:24-cv-0110-DC-JDP (PS) · Decided October 21, 2025

SUMMARY

The document contains findings and recommendations by a United States magistrate judge regarding plaintiff Jon Lewis’s motion to alter or amend a judgment dismissing his claims against Synchrony Bank. The magistrate judge recommends denying the motion because plaintiff identified no newly discovered evidence, clear error, intervening change in law, or other basis for reconsideration.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	October 21, 2025
DOCKET	2:24-cv-0110-DC-JDP (PS)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rules of Civil Procedure 59(e) or 60(b) to alter or amend a judgment dismissing his federal claims without leave to amend and declining supplemental jurisdiction over his state-law claims. The magistrate judge recommended denial of the motion.
STANDARD OF REVIEW	A motion to alter or amend judgment under Rule 59(e) is an extraordinary remedy available only upon newly discovered evidence, clear error, or an intervening change in controlling law. Reconsideration may also be sought under Rule 60(b), subject to its applicable grounds.
PRECEDENTIAL VALUE	Unpublished, nonprecedential magistrate judge findings and recommendations
PARTIES	Jon Lewis v. Synchrony Bank

TOPICS

motion for reconsideration

civil procedure

pleadings

PRACTICE AREAS

civil procedure

federal courts

QUESTIONS PRESENTED

1. Whether plaintiff established a basis under Federal Rule of Civil Procedure 59(e) or 60(b) to alter or amend the judgment.
2. Whether defense counsel was required to verify authority to represent Synchrony Bank through a letter of authority, power of attorney, corporate resolution, or similar instrument.

HOLDINGS

1. A motion to alter or amend judgment should be denied where the movant identifies no newly discovered evidence, clear error, intervening change in controlling law, or other valid basis for reconsideration.
2. An attorney admitted to practice before the court is not required to provide a letter of authority, power of attorney, corporate resolution, or similar instrument verifying authorization to represent a client.

KEY QUOTATIONS

“A grant of a motion to amend or alter judgment under Rule 59(e) is an “extraordinary remedy, to be used sparingly in the interests of finality and conservation of judicial resources.”” (at 1)

“Plaintiff does not identify any new evidence, clear error, or intervening change in law.” (at 1)

“Although an attorney must be granted admission to practice before this court, there is no requirement that counsel verify authorization to represent his or her client.” (at 2)

FACTUAL BACKGROUND

The district court had adopted findings and recommendations dismissing Lewis's second amended complaint without leave to amend and had entered judgment. Lewis's motion to alter or amend did not identify newly discovered evidence, clear error, or an intervening change in controlling law. Instead, he argued that the judgment was void because defense counsel had not produced a letter of authority, power of attorney, corporate resolution, or similar instrument establishing authorization to represent Synchrony Bank.

PROCEDURAL HISTORY

On May 14, 2025, the magistrate judge recommended granting defendant's motion to dismiss, dismissing plaintiff's federal claims without leave to amend, and declining supplemental jurisdiction over the state-law claims. On September 17, 2025, the district court adopted those findings and recommendations, dismissed the second amended complaint without leave to amend, and entered judgment. Plaintiff then filed the motion to alter or amend the judgment addressed here.

DISPOSITION

other

CASES CITED

- Sch. Dist. Number 1J, Multnomah County v. ACandS, Inc., 5 F.3d 1255, 1262 (9th Cir. 1993)
- Kona Enters. v. Estate of Bishop, 229 F.3d 877, 890 (9th Cir. 2000)
- McDowell v. Calderon, 197 F.3d 1253, 1255 (9th Cir. 1999) (en banc)
- 389 Orange St. Partners v. Arnold, 179 F.3d 656, 665 (9th Cir. 1999)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991)

OPINION

Jon Lewis v. Synchrony Bank

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 JON LEWIS, Case No. 2:24-cv-01110-DC-JDP (PS) 12 Plaintiff,

13 v. FINDINGS AND RECOMMENDATIONS

14 SYNCHRONY BANK,

15 Defendant. 16

17 On May 14, 2025, I recommended that defendant's motion to dismiss be granted, 18 plaintiff's federal claims be dismissed without leave to amend, and the court decline to exercise 19 supplemental jurisdiction over his state law claims. ECF No. 54. On September 17, 2025, the 20 court adopted the findings and recommendations, dismissed plaintiff's second amended compliant 21 without leave to amend, and entered judgment accordingly. ECF Nos. 61 & 62. Plaintiff has now 22 filed a motion to alter or amend the judgment. ECF No. 63. I recommend that motion be denied. 23 A district court may reconsider a ruling under either Federal Rule of Civil Procedure 59(e) 24 or 60(b). See Sch. Dist. Number. 1J, Multnomah County v. ACandS, Inc., 5 F.3d 1255, 1262 (9th

25 Cir. 1993). A grant of a motion to amend or alter judgment under Rule 59(e) is an "extraordinary

26 remedy, to be used sparingly in the interests of finality and conservation of judicial resources."

27 See Kona Enters. v. Estate of Bishop, 229 F.3d 877, 890 (9th Cir. 2000) (quoting 12 James Wm. 28 Moore et al., Moore's Federal Practice § 59.30[4] (3d ed. 2000)). A motion to amend or

alter 1 judgment should be granted only where a court "'is presented with newly discovered evidence, 2 committed clear error, or if there is an intervening change in the controlling law.'" McDowell v. 3 Calderon, 197 F.3d 1253, 1255 (9th Cir. 1999) (en banc) (quoting 389 Orange St.

Partners v. 4 Arnold, 179 F.3d 656, 665 (9th Cir. 1999)). Under the court's local rules, a motion for
5 reconsideration must specify "what new or different facts or circumstances are claimed to exist 6
which did not exist or were not shown upon such prior motion, or what other grounds exist for the
7 motion," and "why the facts or circumstances were not shown at the time of the prior motion." 8
E.D. Cal. L.R. 230(j)(3)-(4). 9 Plaintiff does not identify any new evidence, clear error, or
intervening change in law. 10 Instead, he argues that the court's judgment is void because defense
counsel did not a "letter of 11 authority, power of attorney, corporate resolution, or other
instrument" demonstrating that 12 counsel was authorized to represent defendant. ECF No. 63 at
2. Although an attorney must be 13 granted admission to practice before this court, there is no
requirement that counsel verify 14 authorization to represent his or her client. Plaintiff has failed
to demonstrate any basis for 15 reconsidering the court's September 17, 2025 judgment. 16
Accordingly, it is hereby RECOMMENDED that plaintiff's motion to alter or amend the 17
judgment, ECF No. 63, be DENIED. 18 These findings and recommendations are submitted to the
United States District Judge 19 assigned to the case, pursuant to the provisions of 28 U.S.C. §
636(b)(1). Within fourteen days of 20 service of these findings and recommendations, any party
may file written objections with the 21 court and serve a copy on all parties. Any such document
should be captioned "Objections to 22 Magistrate Judge's Findings and Recommendations," and
any response shall be served and filed 23 within fourteen days of service of the objections. The
parties are advised that failure to file 24 objections within the specified time may waive the right
to appeal the District Court's order. See 25 Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998);
Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 26 1991). 27 28 1 > IT IS SO ORDERED. Dated: _
October 21, 2025 Q_—

4 JEREMY D. PETERSON

5 UNITED STATES MAGISTRATE JUDGE

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