

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

A.G., a minor, by and through her guardian ad litem, et al. v. County
of Tulare, et al.

A.G. v. County of Tulare · No. 1:23-cv-00500-JLT-SKO · Decided October 23, 2025

SUMMARY

The United States District Court for the Eastern District of California denied without prejudice the parties’ stipulation to amend the complaint to substitute California Forensic Medical Group for a previously named Doe defendant. The court found that the stipulation did not conclusively establish consent by all defendants under Federal Rule of Civil Procedure 15(a)(2), and set November 10, 2025, as the deadline for amendments unless further time was granted.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	October 23, 2025
DOCKET	1:23-cv-00500-JLT-SKO
DISPOSITION	denied without prejudice
PROCEDURAL POSTURE	Plaintiffs submitted a stipulation seeking leave to file a third amended complaint substituting California Forensic Medical Group for a previously named Doe defendant. The court denied the stipulation without prejudice because it could not determine that all defendants had consented to the amendment.
STANDARD OF REVIEW	The court applied Federal Rule of Civil Procedure 15(a)(2) to determine whether the proposed amendment had the required written consent or court leave.
PRECEDENTIAL VALUE	Unpublished district-court order; precedential status not stated
PARTIES	A.G., a minor, by and through her guardian ad litem, et al. v. County of Tulare, et al.

TOPICS

motion to amend

pleadings

civil procedure

bankruptcy

injunctions

PRACTICE AREAS

civil procedure

bankruptcy

QUESTIONS PRESENTED

1. Whether the stipulation satisfied Federal Rule of Civil Procedure 15(a)(2)'s requirement of written consent from all defendants for amendment of the complaint.
2. Whether the court should deny the stipulation without prejudice because the document did not conclusively establish that all defendants consented to the amendment.

HOLDINGS

1. Under Federal Rule of Civil Procedure 15(a)(2), amendment by stipulation requires the written consent of all opposing defendants; signatures alone are insufficient when the stipulation does not purport to be made on behalf of all defendants.
2. The court denied the stipulation to amend without prejudice and permitted plaintiffs either to submit a compliant stipulation with all defendants' consent or to file a motion to amend.

KEY QUOTATIONS

“Rule 15(a)(2) requires that a party obtain “the opposing party’s written consent or the court’s leave.”” (at 2)

“In light of this inconsistency the Court finds the stipulation deficient as the Court cannot conclusively determine that all defendants have consented to amendment.” (at 2)

“If Plaintiffs wish to amend their complaint, they must obtain the consent of all defendants and submit a stipulation that addresses the Court’s concerns above.” (at 2)

FACTUAL BACKGROUND

Plaintiffs sought to amend their complaint to substitute California Forensic Medical Group for a Doe defendant. The proposed amendment also implicated Wellpath-related entities and a bankruptcy-court injunction concerning claims against Wellpath Holdings, Inc. and affiliated debtors. The stipulation included signatures from all defendants, but its recitations did not identify all defendants as parties to the stipulation and expressly stated that Wellpath, LLC was not a party.

PROCEDURAL HISTORY

The parties filed a joint status report stating that plaintiffs intended to seek leave to amend by stipulation or motion. Plaintiffs then filed a stipulation to substitute California Forensic Medical Group as a defendant. Although the stipulation contained signatures from every defendant, its text did not purport to be on behalf of all defendants, and the court denied it without prejudice.

DISPOSITION

denied without prejudice

CASES CITED

- In re Wellpath Holdings, Inc., No. 24-90533 (S.D. Tex. Bank.) (Doc. 2907)
- Anderson v. Cnty. of Fresno, No. 121CV01134ADASAB, 2023 WL 7130607, at *1 (E.D. Cal. Oct. 30, 2023)

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