

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Firsov v. Frontier Airlines, Inc.

Firsov · No. 25-cv-02898-SVK · Decided November 20, 2025

SUMMARY

The United States District Court for the Northern District of California denied Sergey Firsov’s motion to disqualify the assigned magistrate judge under 28 U.S.C. § 455. The court held that its orders managing the docket and striking unauthorized filings did not establish bias or create a reasonable question regarding the judge’s impartiality.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Susan Van Keulen
JURISDICTION	United States District Court for the Northern District of California
DECIDED	November 20, 2025
DOCKET	25-cv-02898-SVK
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under 28 U.S.C. § 455 to disqualify the assigned magistrate judge based on alleged bias and alleged violation of Federal Rule of Civil Procedure 15(a). The court denied the motion.
STANDARD OF REVIEW	Under 28 U.S.C. § 455, disqualification is required when a reasonable person with knowledge of all the facts would conclude that the judge's impartiality might reasonably be questioned. Recusal generally requires an extrajudicial source of bias; adverse rulings, opinions formed, or statements made during the litigation ordinarily are insufficient.
PRECEDENTIAL VALUE	Unpublished federal district court order; persuasive rather than binding precedent outside the case.
PARTIES	Sergey Firsov v. Frontier Airlines, Inc.

TOPICS

- civil procedure
- motion to amend
- motion for reconsideration
- pleadings

PRACTICE AREAS

civil procedure

judicial disqualification

pleadings

QUESTIONS PRESENTED

1. Whether the magistrate judge was required to disqualify herself under 28 U.S.C. § 455 based on alleged bias and the order striking Plaintiff's unauthorized motion for leave to amend.
2. Whether Plaintiff's motion for leave to file a second amended complaint was improperly struck because Rule 15(a) permitted amendment without court permission.

HOLDINGS

1. Disqualification was not required because the court's case-management orders and rulings did not provide a reasonable factual basis to question the judge's impartiality or establish wrongful bias against Plaintiff.
2. Rule 15(a) did not permit Plaintiff to file a second amendment as a matter of course because Plaintiff had already amended his complaint; a further amendment required the opposing party's written consent or the court's leave, and the motion for leave itself was subject to the court's order requiring prior leave to file new motions.

KEY QUOTATIONS

“The standard for disqualification is “whether a reasonable person with knowledge of all the facts would conclude that the judge’s impartiality might reasonably be questioned.”” (at 1)

“District courts have the inherent authority to efficiently manage their dockets and resolve cases.” (at 2)

FACTUAL BACKGROUND

The court had entered an October 21, 2025 order requiring the parties to obtain leave before filing new briefs or motions, subject to specified exceptions. Plaintiff filed a motion for leave to file a second amended complaint without obtaining leave to file the motion itself, and the court struck it as unauthorized. Plaintiff then sought disqualification of the magistrate judge, asserting that the order violated Rule 15(a) and demonstrated bias against him.

PROCEDURAL HISTORY

Plaintiff previously filed motions to disqualify the judge, which were denied. After the court entered an order requiring leave before filing new briefs or motions, Plaintiff filed an unauthorized motion for leave to file a second amended complaint; the court struck that motion. Plaintiff then moved to disqualify the judge, and the court denied the motion.

DISPOSITION

other

CASES CITED

- United States v. Holland, 519 F.3d 909, 913 (9th Cir. 2008)
- United States v. Holland, 519 F.3d 909, 913-14 (9th Cir. 2008)
- Liteky v. United States, 510 U.S. 540, 548, 550 (1994)
- Dietz v. Bouldin, 579 U.S. 40 (2016)
- Link v. Wabash R. Co., 370 U.S. 626, 630-31 (1962)

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