

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Shale Well v. County of Alameda

Well · No. 25-cv-01894-LJC · Decided April 28, 2025

SUMMARY

The United States District Court for the Northern District of California denied the County of Alameda’s motion under Federal Rule of Civil Procedure 12(f) to strike the plaintiff’s requests for attorneys’ fees and injunctive relief. The court held that Rule 12(f) is not an appropriate vehicle to challenge a request for a particular form of relief and alternatively concluded that the issues were better addressed at a later stage. The order did not decide the County’s separate Rule 12(b)(6) motion to dismiss.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Merry A. J. Cisneros
JURISDICTION	United States District Court for the Northern District of California
DECIDED	April 28, 2025
DOCKET	25-cv-01894-LJC
DISPOSITION	other
PROCEDURAL POSTURE	The County of Alameda moved under Federal Rule of Civil Procedure 12(f) to strike the plaintiff's requests for attorney fees and injunctive relief, and separately moved under Rule 12(b)(6) to dismiss the First Amended Complaint. This order decided only the Rule 12(f) arguments and did not resolve the motion to dismiss.
STANDARD OF REVIEW	A Rule 12(f) motion to strike is committed to the district court's sound discretion, but motions to strike are generally disfavored and are appropriate only in limited circumstances.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation
PARTIES	County of Alameda v. Shale Well

TOPICS

- civil procedure
- pleadings
- motions to dismiss
- attorney fees
- injunctions

PRACTICE AREAS

civil procedure

remedies

federal litigation

QUESTIONS PRESENTED

1. Whether Rule 12(f) authorizes the court to strike Well's requests for attorney fees and injunctive relief from the complaint.
2. Whether the County established grounds, in the court's discretion, to strike those requests at the early pleading stage.

HOLDINGS

1. Rule 12(f) is not an appropriate vehicle to strike a request for a particular form of relief, including requests for attorney fees or injunctive relief, and does not authorize dismissal of a damages claim merely because the requested relief is legally unavailable.
2. Even if the requests were not legally improper under Rule 12(f), the court would deny the motion in its discretion because the attorney-fee issue could change if Well later retained counsel and the injunctive-relief issues required factual development.

KEY QUOTATIONS

“The function of a 12(f) motion to strike is to avoid the expenditure of time and money that must arise from litigating spurious issues by dispensing with those issues prior to trial” (at 1)

“To be clear, the Court does not hold that Well can or will recover any attorneys’ fees or obtain any injunctive relief.” (at 2)

FACTUAL BACKGROUND

Shale Well, proceeding without counsel, filed a First Amended Complaint against Alameda County and requested attorney fees and injunctive relief. The County argued that the attorney-fee request should be stricken because Well was not represented by counsel and that the request for injunctive relief should be stricken based on the alleged inadequacy of legal remedies and related equitable considerations. The court concluded that these issues were premature and should not be resolved through a Rule 12(f) motion at the beginning of the case and without a factual record.

PROCEDURAL HISTORY

The County filed its motion challenging the plaintiff's First Amended Complaint. The district court summarily denied the requests to strike attorney fees and injunctive relief, while leaving the Rule 12(b)(6) dismissal arguments for further briefing and later decision.

DISPOSITION

other

CASES CITED

- Whittlestone, Inc. v. Handi-Craft Co., 618 F.3d 970, 973 (9th Cir. 2010)
- Whittlestone, Inc. v. Handi-Craft Co., 618 F.3d 970, 976 (9th Cir. 2010)
- Nguyen v. CTS Elecs. Mfg. Sols. Inc., No. 13-CV-03679-LHK, 2014 WL 46553, at *3 (N.D. Cal. Jan. 6, 2014)
- Pollock v. Fed. Ins. Co., No. 21-cv-09975-JCS, 2022 WL 912893, at *5 (N.D. Cal. Mar. 29, 2022)

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
SHALE WELL, Case No. 25-cv-01894-LJC 8 Plaintiff, ORDER DENYING MOTION TO 9 v.
STRIKE REMEDIES 10 COUNTY OF ALAMEDA, et al. Re: ECF No. 12 Defendants. 11 12 On
April 25, 2025, Defendant the County of Alameda (the County) filed a motion to 13 dismiss
unrepresented Plaintiff Shale Well’s First Amended Complaint under Rule 12(b)(6) of the 14
Federal Rules of Civil Procedure, and a motion to strike Well’s requests for attorneys’ fees and for
15 injunctive relief under Rule 12(f) of the Federal Rules of Civil Procedure.

ECF No. 12. As 16 explained below, courts strike parts of a complaint under Rule 12(f) only in
limited circumstances. 17 To focus the parties’ arguments on issues where they are more likely to
be useful when the Court 18 considers the motion to dismiss Well’s claims under Rule 12(b)(6),
the Court now summarily 19 denies the County’s motion to strike Well’s requests for certain
remedies under Rule 12(f).

20 This Order decides only the arguments presented in section III.G.1 and III.G.2 of the 21
County’s Motion. Well must still respond to all other arguments presented in the County’s 22
Motion. 23 Rule 12(f) of the Federal Rules of Civil Procedure provides that a district court “may
strike from a pleading an insufficient defense or 24 any redundant, immaterial, impertinent, or
scandalous matter.” “The function of a 12(f) motion to strike is to avoid the expenditure of time 25
and money that must arise from litigating spurious issues by dispensing with those issues prior to
trial....” Whittlestone, Inc. v. 26 Handi-Craft Co., 618 F.3d 970, 973 (9th Cir.

2010) ([citation omitted]). “Motions to strike are generally regarded with disfavor 27 because of
the limited importance of pleading in federal practice, and “Ultimately, whether to grant a motion
to strike lies within the sound 1 discretion of the district court.” Nguyen v. CTS Elecs. Mfg. Sols.
Inc., No. 13-CV-03679-LHK, 2014 WL 46553, at *3 (N.D. Cal. Jan.

6, 2 2014) (citing Whittlestone, 618 F.3d at 973). 3 Pollock v. Fed. Ins. Co., No. 21-cv-09975-JCS,
2022 WL 912893, at *5 (N.D. Cal. Mar. 29, 4 2022). 5 Moreover, “Rule 12(f) of the Federal Rules
of Civil Procedure does not authorize a district 6 court to dismiss a claim for damages on the basis
it is precluded as a matter of law.” Whittlestone, 7 618 F.3d at 976 (9th Cir.

2010). Despite prominently citing Whittlestone for the basic nature of a 8 motion under Rule 12(f), see ECF No. 12 (Motion) at 18,1 the County's present Motion violates 9 that decision's holding that Rule 12(f) is not an appropriate vehicle to attack a request for a 10 particular form of relief.

The requests to strike Well's prayer for attorneys' fees and injunctive 11 relief are therefore DENIED.2 12 Even if that were not so as a matter of law, those requests raise issues better addressed at a 13 later stage of the case.

The County moves to strike Well's prayer for attorneys' fees solely on the 14 basis that she is proceeding without a lawyer and thus is not incurring any recoverable fees, ECF 15 No. 12 at 19, but it is possible that Well might retain an attorney as the case continues, and 16 requiring her to amend her Complaint to reassert this request if she later hires a lawyer would not 17 serve the interests of efficiency underlying Rule 12(f).

The County's arguments regarding 18 injunctive relief involve questions of the potential for irreparable injury, the sufficiency of money 19 damages, and the "proper balance between state and federal authorities," which are difficult to 20 evaluate at the beginning of a case and without a factual record. ECF No. 12 at 19–20.

The 21 County cites no case addressing such issues on a motion to strike under Rule 12(f). The Court 22 would therefore deny the requests to strike Well's requests for these forms of relief as a matter of 23 discretion, even if the motion were not precluded by Ninth Circuit precedent. 24 To be clear, the Court does not hold that Well can or will recover any attorneys' fees or 25 obtain any injunctive relief.

The Court holds only that the County has not met its burden to show 26 1 This Order cites the County's Motion using page numbers as assigned by the Court's ECF filing 27 system. 1 that those requests should be stricken under Rule 12(f) at this early stage of the case. 2 This Order does not decide the County's Motion to the extent that it seeks dismissal of 3 || Well's claims against the County under Rule 12(b)(6), as stated in section III-A through □□□□ of 4 || the Motion.

See ECF No. 12 at 10-18. The County's request to dismiss Well's claims under Rule 5 12(b)(6) are based on its arguments that Well has not included in her First Amended Complaint 6 || enough alleged facts to establish that the County broke any law that violated her rights, among 7 || other arguments. If Well wishes to continue prosecuting her claims against the County, she 8 || must respond to those arguments in her opposition brief due May 9, 2025.

If the Court grants 9 the County's Motion to Dismiss, Well will not be entitled to any relief from the County. 10 If Well proceeds without an attorney, she is encouraged to contact the Court's Legal Help 11 Center for assistance. Attorneys at the Legal Help Center cannot represent parties in litigation but 12 || can provide basic assistance to parties representing themselves.

Well may request an appointment 13 by calling 415-782-8982 or emailing fedpro@ sfbar.org. IT
IS SO ORDERED. 15 Dated: April 28, 2025 is Ls 5 17 Ms. | Merry 'A J. CISNEROS 2 18 ited
States Magistrate Judge 19 20 21 22 23 24 25 26 27 28

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