

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

California Chamber of Commerce v. Rob Bonta

California Chamber · No. 2:19-cv-2019-DJC-JDP · Decided October 10, 2025

SUMMARY

The United States District Court for the Eastern District of California denied the California Chamber of Commerce’s request for \$64,653.60 in attorney’s fees and expenses under Federal Rule of Civil Procedure 37(c)(1)(A). Although the court had excluded the intervenor’s expert testimony for noncompliant disclosures, it found the fee request insufficiently supported and noted that the request could be pursued in a later motion for attorney’s fees under Local Rule 293.

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 10, 2025
DOCKET	2:19-cv-2019-DJC-JDP
DISPOSITION	denied
PROCEDURAL POSTURE	The court previously granted plaintiff's motion to exclude defendant-intervenor CERT's expert testimony under Federal Rule of Civil Procedure 37(c), but deferred ruling on plaintiff's request for monetary sanctions and attorney's fees. The court then denied the request for monetary sanctions.
STANDARD OF REVIEW	The court assessed the requested sanctions and fees under Federal Rule of Civil Procedure 37(c)(1)(A) and the lodestar framework for attorney-fee awards.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown
PARTIES	California Chamber of Commerce v. Rob Bonta, in his Official Capacity as Attorney General of the State of California, Council for Education and Research on Toxics, Defendant-Intervenor

TOPICS

sanctions

expert testimony

attorney fees

discovery dispute

civil procedure

PRACTICE AREAS

civil procedure

evidence

attorney fees

sanctions

commercial litigation

QUESTIONS PRESENTED

1. Whether plaintiff was entitled to additional monetary sanctions, including attorney's fees and expenses, under Federal Rule of Civil Procedure 37(c)(1)(A) after CERT's noncompliant expert disclosures resulted in exclusion of the experts.
2. Whether plaintiff demonstrated that the requested attorney's fees were reasonable under the lodestar method.

HOLDINGS

1. Plaintiff was not entitled to the requested additional monetary sanction because it failed to demonstrate that the amount of fees sought was reasonable, and the request was more appropriately presented in a motion for attorney's fees under Local Rule 293.
2. The court excluded testimony from CERT's experts because CERT's disclosures did not comply with Federal Rule of Civil Procedure 26(a)(2)(B).

KEY QUOTATIONS

“This exclusion sanction, which the Federal Rules advisory committee describes as “self-executing” and “automatic,” is designed to provide a strong inducement to make required disclosures of expert evidence and fact evidence.” (at 2)

FACTUAL BACKGROUND

CERT disclosed reports from seven experts, but the reports contained outdated and incomplete information and had been prepared for the experts' prior cases. The court found that the disclosures did not comply with Federal Rule of Civil Procedure 26(a)(2)(B) and excluded the expert testimony. Plaintiff sought \$64,653.60 in fees based only on a one-page billing summary, without submitting actual billing records or identifying the time spent on individual tasks, and did not establish that the requested hourly rates were consistent with prevailing rates in the Eastern District of California.

PROCEDURAL HISTORY

Under the scheduling order, CERT served expert disclosures on December 15, 2023. Plaintiff moved to exclude the expert testimony and sought \$64,653.60 in attorney's fees and expenses. The court excluded the experts because their reports did not comply with Rule 26(a)(2)(B), deferred the fee issue, and ultimately denied additional Rule 37(c)(1)(A) sanctions because plaintiff did not adequately establish the reasonableness of the requested fees and the request was more appropriately addressed under Local Rule 293.

DISPOSITION

denied

CASES CITED

- *Eno v. Forest River Inc.*, No. 2:20-CV-706-DWC, 2021 WL 6428636, at *3-*4 (W.D. Wash. July 1, 2021)
- *Hardin v. Wal-Mart Stores, Inc.*, No. 1:08-cv-00617 AWI GSA, 2010 WL 3341897, at *6 (E.D. Cal. Aug. 25, 2010)
- *Yeti by Molly Ltd. v. Deckers Outdoor Corp.*, 259 F.3d 1101, 1106 (9th Cir. 2001)
- *Staton v. Boeing Co.*, 327 F.3d 938, 965 (9th Cir. 2003)
- *Moreno v. City of Sacramento*, 534 F.3d 1106, 1111 (9th Cir. 2008)
- *Pompeian, Inc. v. Mill at King River, LLC*, No. 1:24-cv-0766-JDT-EPG, 2025 WL 2467612, at *5 (E.D. Cal. Aug. 27, 2025)

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