

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Digital Media Solutions, LLC v. Zeetogroup, LLC

Digital Media Solutions · No. 3:22-cv-01184-AHG · Decided March 9, 2023

SUMMARY

This Scheduling Order regulates discovery and other pretrial proceedings in Digital Media Solutions, LLC v. Zeetogroup, LLC, Case No. 3:22-cv-01184-AHG, in the United States District Court for the Southern District of California. It establishes deadlines for amended pleadings, fact and expert discovery, dispositive and Daubert motions, pretrial disclosures, the final pretrial conference, and trial.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Allison H. Goddard
DECIDED	March 9, 2023
DOCKET	3:22-cv-01184-AHG
DISPOSITION	other
PROCEDURAL POSTURE	Scheduling order issued after a case management conference and the parties' consent to proceed before a magistrate judge.
PRECEDENTIAL VALUE	Unknown; scheduling order with no reported citation.

TOPICS

- civil procedure
- discovery dispute
- summary judgment
- subject matter jurisdiction

PRACTICE AREAS

- Civil procedure
- Commercial litigation
- Federal jurisdiction

QUESTIONS PRESENTED

- What schedule should govern discovery, renewed summary-judgment briefing, amendment of pleadings, expert disclosures, dispositive motions, settlement, and trial?
- Whether the Court should independently examine subject-matter jurisdiction before ruling on an anticipated renewed summary-judgment motion.

FACTUAL BACKGROUND

The Court had previously dismissed the action without prejudice for lack of subject-matter jurisdiction. Following limited jurisdictional discovery into the citizenship of Zeetogroup's sole member, Stephen Goss, Plaintiff filed an amended complaint and presented evidence tending to show that Goss was a California citizen. The parties consented to proceed before Magistrate Judge Allison H. Goddard and represented that Defendant did not intend to continue disputing jurisdiction.

PROCEDURAL HISTORY

The case was previously dismissed without prejudice for lack of subject-matter jurisdiction after Defendant filed a summary-judgment motion. The Court then permitted limited jurisdictional discovery concerning the citizenship of Defendant's sole member, after which Plaintiff filed an amended complaint and submitted evidence addressing diversity jurisdiction. Because the parties indicated that jurisdiction would not be disputed moving forward, the Court set deadlines for renewed summary-judgment briefing and other pretrial proceedings.

DISPOSITION

other

CASES CITED

- Broce v. Arco Pipe Line Co., 28 F. App'x 653, 654 (9th Cir. 2002)