

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Danielle Esposito v. Erie County Medical Center

Esposito · No. 25-CV-58 (JLS) (HKS) · Decided May 26, 2026

SUMMARY

The United States District Court for the Western District of New York adopted a magistrate judge’s Report and Recommendation in Danielle Esposito’s Title VII and New York Human Rights Law retaliation action against Erie County Medical Center. The court denied the defendant’s motion to dismiss, granted the plaintiff’s cross-motion for leave to amend, and referred the case back to the magistrate judge for further proceedings.

CASE DETAILS

COURT	United States District Court for the Western District of New York
WRITING FOR THE COURT	John L. Sinatra, Jr.
JURISDICTION	United States District Court for the Western District of New York
DECIDED	May 26, 2026
DOCKET	25-CV-58 (JLS) (HKS)
DISPOSITION	other
PROCEDURAL POSTURE	District court review of a magistrate judge's Report and Recommendation addressing a motion to dismiss and a cross-motion for leave to amend.
STANDARD OF REVIEW	De novo review of portions of a magistrate judge's Report and Recommendation to which a party objects; no review is required for portions to which no objection is made under the cited authorities.
PRECEDENTIAL VALUE	unpublished district court decision

TOPICS

- motions to dismiss
- motion to amend
- retaliation
- title vii
- civil procedure

PRACTICE AREAS

- civil procedure
- employment law
- civil rights

QUESTIONS PRESENTED

1. Whether the district court should accept the magistrate judge's recommendation to deny Defendant's motion to dismiss Plaintiff's Title VII and New York Human Rights Law retaliation claims.
2. Whether the district court should grant Plaintiff leave to amend her complaint.

HOLDINGS

1. A district court must conduct de novo review of the portions of a magistrate judge's recommendation to which a party objects, and it need not review portions to which no objection is made.
2. The motion to dismiss is denied, consistent with the magistrate judge's Report and Recommendation.
3. Plaintiff is granted leave to amend her complaint.

KEY QUOTATIONS

“A district court must conduct a de novo review of those portions of a magistrate judge’s recommendation to which a party objects.”

“Neither 28 U.S.C. § 636 nor Federal Rule of Civil Procedure 72 requires a district court to review the recommendation of a magistrate judge to which no objections are raised.”

FACTUAL BACKGROUND

Danielle Esposito brought retaliation claims against Erie County Medical Center under Title VII and the New York Human Rights Law. The opinion does not provide substantive facts concerning the alleged retaliation because it addresses objections to a Report and Recommendation concerning pleading-stage motions.

PROCEDURAL HISTORY

Plaintiff filed suit alleging retaliation under Title VII and the New York Human Rights Law. Defendant moved to dismiss, and Plaintiff cross-moved for leave to amend. Magistrate Judge H. Kenneth Schroeder, Jr. recommended denying the motion to dismiss and granting leave to amend. Defendant objected only to the recommendation concerning dismissal of the Title VII and NYHRL claims; the district court conducted de novo review of the objected-to portions, adopted the R&R, denied the motion to dismiss, granted leave to amend, and referred the case back to the magistrate judge.

DISPOSITION

other

REMAND INSTRUCTIONS

The case is referred back to Magistrate Judge H. Kenneth Schroeder, Jr. for further proceedings consistent with the referral order at Dkt. 8.

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 149-50 (1985)

OPINION

EINES DISTRICT UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK MAY 26 2026 et DANIELLE ESPOSITO, Plaintiff, v. 25-CV-58 (JLS) (HKS) ERIE COUNTY MEDICAL CENTER, Defendant. DECISION AND ORDER Plaintiff Danielle Esposito commenced this action on January 17, 2025, alleging claims of retaliation under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq. (“Title VII”) and the New York Human Rights Law, N.Y.

Exec. Law § 296 et seq. (“NYHRUL”) against Defendant Erie County Medical Center. See Dkt. 1. The case has been referred to United States Magistrate Judge H. Kenneth Schroeder, Jr. for all proceedings under 28 U.S.C. §§ 636(b)(1)(A), (B), and (C). Dkt. 8.

On April 15, 2025, Defendant filed a motion to dismiss. Dkt. 7. Plaintiff filed a memorandum in opposition to Defendant’s motion to dismiss and in support of her cross-motion for leave to file an amended complaint. Dkt. 11-1. Defendant filed a reply memorandum of law in further support of its motion to dismiss and in opposition to Plaintiffs cross-motion for leave to file an amended complaint.

Dkt. 12. On March 16, 2026, Judge Schroeder issued a Report and Recommendation (“R&R”), which recommended that this Court deny Defendant’s [7] motion to dismiss and grant Plaintiffs [11] motion for leave to amend. See Dkt. 18. Defendant objected to the R&R. Dkt. 16.

In particular, Defendant objected to the portion of the R&R which recommends that this Court deny Defendant’s motion to dismiss Plaintiffs claims under Title VII and NYHRL. *Jd.* at 1.1 Defendant did not object to the portion of the R&R recommending that this Court grant Plaintiff leave to amend her Complaint. *Jd.* Plaintiff opposed the objections, Dkt. 17, and Defendant replied.

Dkt. 18. A district court may accept, reject, or modify the findings or recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(8). A district court must conduct a de novo review of those portions of a magistrate judge’s recommendation to which a party objects. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). Neither 28 U.S.C. § 636 nor Federal Rule of Civil Procedure 72 requires a district court to review the recommendation of a magistrate judge to which no objections are raised.

See Thomas v. Arn, 474 U.S. 140, 149-50 (1985). This Court carefully reviewed the R&R and the relevant record. Based on its de novo review of the R&R’s recommendations, the Court accepts and adopts Judge Schroeder’s recommended disposition of Defendant’s motion and Plaintiffs cross-motion. Page numbers refer to the CM/ECF generated numbering in the header of each page.

For the reasons stated above and in the R&R, the Court DENIES Defendant's [7] motion to dismiss and GRANTS Plaintiffs [11] motion for leave to amend her complaint. The Court refers the case back to Judge Schroeder for further proceedings consistent with the referral order at Dkt. 8. SO ORDERED. Dated: May 26, 2026 \ Buffalo, New York "Si JOHN T\SINATRA, JR. UM D STATES DISTRICT JUDGE

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