

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Espinola v. Ford Motor Co.

No. 2:25-cv-01117 WBS AC (E.D. Cal. Aug. 4, 2025) · No. 2:25-cv-01117 WBS AC · Decided August 5, 2025

SUMMARY

This Status (Pretrial Scheduling) Order in *Espinola v. Ford Motor Co.* establishes deadlines and procedures for service, amendments, discovery, motions, pretrial proceedings, settlement, and trial. The order, issued by Judge William B. Shubb on August 4, 2025, sets the final pretrial conference for July 27, 2026, and the jury trial for September 22, 2026.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	William B. Shubb
DECIDED	August 5, 2025
DOCKET	2:25-cv-01117 WBS AC
DISPOSITION	other
PROCEDURAL POSTURE	Status and pretrial scheduling order in a removed diversity action asserting claims under the Song-Beverly Consumer Warranty Act.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- civil procedure
- service of process
- joinder
- discovery dispute
- subject matter jurisdiction

PRACTICE AREAS

- civil procedure
- consumer protection
- products liability

QUESTIONS PRESENTED

1. What scheduling and case-management deadlines and procedures should govern the action?
2. Whether service had been completed and whether further joinder or amendment should be permitted absent court-authorized good cause.
3. Whether subject-matter jurisdiction and venue were adequately established.

HOLDINGS

1. All defendants had been served, and no further service was permitted without leave of court upon a showing of good cause under Federal Rule of Civil Procedure 16(b).
2. No further joinder of parties or amendments to pleadings would be permitted except with leave of court upon a showing of good cause.
3. The action was within the court's diversity jurisdiction under 28 U.S.C. § 1332 because the parties were of diverse citizenship and the amount in controversy exceeded \$75,000; venue was proper and undisputed.
4. The court adopted deadlines for initial disclosures, expert disclosures and reports, completion of discovery, motions to compel, motions, the final pretrial conference, settlement proceedings, and trial.

KEY QUOTATIONS

“No further joinder of parties or amendments to pleadings will be permitted except with leave of court, good cause having been shown under Federal Rule of Civil Procedure 16(b).” (at 1)

“The word “completed” means that all discovery shall have been conducted so that all depositions have been taken and any disputes relevant to discovery shall have been resolved by appropriate order if necessary and, where discovery has been ordered, the order has been obeyed.” (at 2)

FACTUAL BACKGROUND

The plaintiffs brought a Song-Beverly Consumer Warranty Act action against Ford Motor Company. The court found that all defendants had been served, that the parties were diverse, and that the amount in controversy exceeded \$75,000. Based on the parties' Joint Status Report, the court established discovery, motion, pretrial, settlement, and trial deadlines.

PROCEDURAL HISTORY

After reviewing the parties' Joint Status Report, the district court vacated the August 11, 2025 Status (Pretrial Scheduling) Conference and issued scheduling findings and orders. The court addressed service, joinder and amendments, jurisdiction and venue, discovery, motion deadlines, pretrial proceedings, trial, settlement, and modification of the scheduling order.

DISPOSITION

other

CASES CITED

- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604 (9th Cir. 1992)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 ----oo0oo---- 11 12 PATRICIA MARIA ESPINOLA, an No. 2:25-cv-01117

WBS AC individual, and ALBINO 13 MEDEIROS ESPINOLA, an individual, 14 Plaintiffs, 15 v. 16 FORD MOTOR COMPANY, a 17 Delaware Corporation, 18 Defendant. 19 20 ----oo0oo---- 21 STATUS (PRETRIAL SCHEDULING) ORDER 22 After reviewing the parties' Joint Status Report, the 23 court hereby vacates the Status (Pretrial Scheduling) Conference 24 scheduled for August 11, 2025, and makes the following findings 25 and orders without needing to consult with the parties any 26 further.

27 I. SERVICE OF PROCESS 28 All defendants have been served, and no further service 1 is permitted without leave of court, good cause having been shown 2 under Federal Rule of Civil Procedure 16(b). 3 II. JOINDER OF PARTIES/AMENDMENTS 4 No further joinder of parties or amendments to 5 pleadings will be permitted except with leave of court, good 6 cause having been shown under Federal Rule of Civil Procedure 7 16(b).

See Johnson v. Mammoth Recreations, Inc., 975 F.2d 604 8 (9th Cir. 1992). 9 III. JURISDICTION/VENUE 10 Jurisdiction in this action brought under the Song- 11 Beverly Consumer Warranty Act is predicated upon 28 U.S.C. § 12 1332, because the parties are of diverse citizenship and the 13 amount in controversy exceeds \$75,000. Venue is undisputed and 14 hereby found to be proper.

15 IV. DISCOVERY 16 The parties agree to serve the initial disclosures 17 required by Federal Rule of Civil Procedure 26(a)(1) on or before 18 August 25, 2025. 19 The parties shall disclose experts and produce reports 20 in accordance with Federal Rule of Civil Procedure 26(a)(2) by no 21 later than February 27, 2026. With regard to expert testimony 22 intended solely for rebuttal, those experts shall be disclosed 23 and reports produced in accordance with Federal Rule of Civil 24 Procedure 26(a)(2) on or before March 13, 2026.

25 All discovery, including depositions for preservation 26 of testimony, is left open, save and except that it shall be so 27 conducted as to be completed by March 27, 2026. The word 28 "completed" means that all discovery shall have been conducted so 1 that all depositions have been taken and any disputes relevant to 2 discovery shall have been resolved by appropriate order if 3 necessary and, where discovery has been ordered, the order has 4 been obeyed.

All motions to compel discovery must be noticed on 5 the magistrate judge's calendar in accordance with the local 6 rules of this court and so that such motions may be heard (and 7 any resulting orders obeyed) not later than March 27, 2026. 8 V. MOTION HEARING SCHEDULE 9 All motions, except motions for continuances, temporary 10 restraining orders, or other emergency applications, shall be 11 filed on or before May 15, 2026.

All motions shall be noticed 12 for the next available hearing date. Counsel are cautioned to 13 refer to the local rules regarding the requirements for noticing 14 and opposing such motions on the court's regularly scheduled law 15 and motion calendar. 16 VI. FINAL PRETRIAL

CONFERENCE 17 The Final Pretrial Conference is set for July 27, 2026, 18 at 1:30 p.m. in Courtroom No. 5.

The conference shall be 19 attended by at least one of the attorneys who will conduct the 20 trial for each of the parties and by any unrepresented parties. 21 Counsel for all parties are to be fully prepared for 22 trial at the time of the Pretrial Conference, with no matters 23 remaining to be accomplished except production of witnesses for 24 oral testimony.

Counsel shall file separate pretrial statements, 25 and are referred to Local Rules 281 and 282 relating to the 26 contents of and time for filing those statements. In addition to 27 those subjects listed in Local Rule 281(b), the parties are to 28 provide the court with: (1) a plain, concise statement which 1 identifies every non-discovery motion which has been made to the 2 court, and its resolution; (2) a list of the remaining claims as 3 against each defendant; and (3) the estimated number of trial 4 days.

5 In providing the plain, concise statements of 6 undisputed facts and disputed factual issues contemplated by 7 Local Rule 281(b)(3)-(4), the parties shall emphasize the claims 8 that remain at issue, and any remaining affirmatively pled 9 defenses thereto. If the case is to be tried to a jury, the 10 parties shall also prepare a succinct statement of the case, 11 which is appropriate for the court to read to the jury.

12 VII. TRIAL SETTING 13 The jury trial is set for September 22, 2026 at 9:00 14 a.m. The parties estimate that the trial will last 3 to 5 days. 15 VIII. SETTLEMENT CONFERENCE 16 A Settlement Conference with a magistrate judge will be 17 set at the time of the Pretrial Conference. Counsel are 18 instructed to have a principal with full settlement authority 19 present at the Settlement Conference or to be fully authorized to 20 settle the matter on any terms.

At least seven calendar days 21 before the Settlement Conference counsel for each party shall 22 submit a confidential Settlement Conference Statement for review 23 by the settlement judge. The Settlement Conference Statements 24 shall not be filed and will not otherwise be disclosed to the 25 trial judge. 26 IX. MODIFICATIONS TO SCHEDULING ORDER 27 Any requests to modify the dates or terms of this 28 Scheduling Order, except requests to change the date of the eee nee OE EO EINER OIE IIE 1 trial, may be heard and decided by the assigned Magistrate Judge.

2 All requests to change the trial date shall be heard and decided 3 only by the undersigned judge. 4 IT IS SO ORDERED. 5 Dated: August 4, 2025 Ate a, ~~ ak pag! sé 6 WILLIAM B. SHUBB UNITED STATES DISTRICT JUDGE 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28