

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Sayyedalhosseini v. Los Rios Community College District

Sayyedalhosseini · No. No. 2:23-cv-1571-DJC-JDP (PS) · Decided June 25, 2025

SUMMARY

The United States District Court for the Eastern District of California adopts the magistrate judge’s findings and recommendations in part. The court dismisses as untimely all claims except the retaliation claim identified in EEOC charge 555-2020-01235, partially grants the defendant’s motion to strike, and refers the matter back for further pretrial proceedings.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Daniel J. Calabretta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 25, 2025
DOCKET	No. 2:23-cv-1571-DJC-JDP (PS)
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations after plaintiff filed timely objections. The court adopted the recommendations in part, ruled on defendant's motion to dismiss and motion to strike, and referred the matter back to the magistrate judge for further pretrial proceedings.
STANDARD OF REVIEW	The district court presumed the magistrate judge's findings of fact were correct and reviewed the magistrate judge's conclusions of law de novo.
PRECEDENTIAL VALUE	Unknown

TOPICS

- motions to dismiss
- pleadings
- retaliation
- civil rights
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights
- employment law

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations should be adopted after de novo review of plaintiff's objections.
2. Whether claims other than the retaliation claim set forth in charge 555-2020-01235 were untimely and should be dismissed without leave to amend.
3. Whether portions of the First Amended Complaint, including its addendum and demands for termination of other employees and enforcement of state court orders, should be stricken.
4. Whether the requests for assurances and preventative measures could theoretically form the basis of injunctive relief.

HOLDINGS

1. The district court presumes the magistrate judge's findings of fact are correct and reviews the magistrate judge's conclusions of law de novo.
2. All claims other than the retaliation claim set forth in charge 555-2020-01235 are dismissed as untimely without leave to amend.
3. The addendum to the First Amended Complaint and portions of the statement of demands seeking termination of other employees and enforcement of state court orders are stricken, while the motion to strike is denied as to the remaining challenged material.

KEY QUOTATIONS

“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court” (at 1)

FACTUAL BACKGROUND

Plaintiff filed a First Amended Complaint asserting, among other claims, a retaliation claim identified by charge number 555-2020-01235 and seeking various forms of relief. The amended complaint included an addendum and demands seeking termination of other employees and enforcement of state court orders. The district court concluded that the claims other than the specified retaliation claim were untimely, while determining that certain requests under the amended complaint's assurances and preventative-measures section could theoretically support injunctive relief.

PROCEDURAL HISTORY

The matter was referred to a magistrate judge under 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. The magistrate judge filed findings and recommendations on May 20, 2025, and plaintiff objected on May 27, 2025. The district court adopted the findings and recommendations in part, dismissed all claims other than the retaliation claim set forth in charge 555-2020-01235 as untimely without leave to amend, denied the motion to dismiss in all other respects, partially granted the motion to strike, and returned the case for further pretrial proceedings.

DISPOSITION

other

REMAND INSTRUCTIONS

The matter is referred back to the assigned magistrate judge for all further pretrial proceedings.

CASES CITED

- Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979)
- Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir. 2007)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 SONIA SAYYEDALHOSSEINI, No. 2:23-cv-1571-DJC-JDP (PS) 12
Plaintiff, 13 v. ORDER 14 LOS RIOS COMMUNITY COLLEGE DISTRICT, 15 Defendant. 16
17 This matter was referred to a United States Magistrate Judge pursuant to 28 18 U.S.C. § 636(b)
(1)(B) and Local Rule 302.

On May 20, 2025, the Magistrate Judge filed 19 findings and recommendations herein which were
served on the parties and which 20 contained notice that any objections to the findings and
recommendations were to be 21 filed within fourteen days. Plaintiff filed objections on May 27,
2025, which were 22 considered by the undersigned. 23 The Court presumes that any findings of
fact are correct.

See Orand v. United 24 States, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge's
conclusions of law 25 are reviewed de novo. See Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir.
2007) 26 (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the 27
district court and [the appellate] court....”).

Having reviewed the file, the Court finds 28 1 the findings and recommendations to be supported
by the record and by the proper 2 | analysis in large part. However, while the precise phrasing of
the relief in the First 3 | Amended Complaint (ECF No. 43) at page 24 under the heading “6.
Assurances and 4 | Preventative Measures” is inartful, the substance of the requests under them
could 5 | theoretically form the basis of injunctive relief, and the Court will deny the motion to 6 |
strike as to those requests for relief.

7 Accordingly, IT IS HEREBY ORDERED that: 8 1. The proposed Findings and
Recommendations filed May 20, 2025 (ECF No. 9 | 56), are adopted in part; 10 2. Defendant's
motion to dismiss (ECF No. 45) is GRANTED in part as follows: 11 a. all claims other than the
retaliation claim set forth in charge 555-2020- 12 | 01235 are DISMISSED without leave to amend
as untimely; and 13 b. the motion is denied in all other respects.

14 3. Defendant's motion to strike (ECF No. 46) is GRANTED in part as follows: 15 a. The
“addendum” portion of the amended complaint (ECF No. 43) is 16 | stricken, as are the portions of
the “statement of demands” that seek the termination 17 | of other employees and enforcement of
state court orders; and 18 b. The motion is denied in all other respects. 19 4.

This matter is referred back to the assigned Magistrate Judge for all further 20 | pretrial
proceedings. 21 99 IT IS SO ORDERED. 23 | Dated: _ June 24, 2025 Donel J CoD tto— Hon.
Daniel alabretta 24 UNITED STATES DISTRICT JUDGE 25 26 27 28