

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Quick v. Centres Villa Limited Partnership

No. 1:25-cv-00037-BAM (E.D. Cal. Aug. 5, 2025) · No. 1:25-cv-00037-BAM · Decided August 5, 2025

SUMMARY

The United States District Court for the Eastern District of California grants Plaintiff Charles Quick’s unopposed motion for leave to file a first amended complaint under Federal Rule of Civil Procedure 15(a). The court permits Plaintiff to add alleged access barriers and CX Sunflower, LLC as an additional defendant, finding no undue delay, prejudice, futility, or bad faith. The court vacates the August 22, 2025 hearing and directs Plaintiff to file the amended complaint within five court days.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Barbara A. McAuliffe
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 5, 2025
DOCKET	1:25-cv-00037-BAM
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rule of Civil Procedure 15(a) for leave to file a first amended complaint adding alleged access barriers and an additional defendant. The court granted the motion without opposition and vacated the scheduled hearing.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 15(a)(2), leave to amend should be freely given when justice so requires; relevant considerations include bad faith, undue delay, prejudice, futility, and prior amendments, with prejudice being the most important factor.
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court order

TOPICS

- motion to amend
- civil procedure
- public accommodations discrimination
- architectural barriers
- ada / disability

PRACTICE AREAS

civil procedure

Americans with Disabilities Act

disability access

California disability law

QUESTIONS PRESENTED

1. Whether plaintiff should be granted leave under Federal Rule of Civil Procedure 15(a) to file a first amended complaint adding alleged access barriers and CX Sunflower, LLC as a defendant.
2. Whether the scheduled August 22, 2025 hearing on the motion should be vacated because the motion was unopposed and deemed submitted.

HOLDINGS

1. Leave to file a first amended complaint should be freely granted where there is no showing of undue delay, bad faith, prejudice, or futility, particularly when the motion is timely and the opposing parties do not object.
2. Because plaintiff moved to amend before the scheduling-order deadline for amendments expired, the motion was properly evaluated under Rule 15 rather than the heightened Rule 16 standard.

KEY QUOTATIONS

“In the absence of any apparent or declared reason—such as undue delay, bad faith or dilatory motive on the part of the movant, repeated failure to cure deficiencies by amendments previously allowed, undue prejudice to the opposing party by virtue of allowance of the amendment, futility of amendment, etc. —the leave sought should, as the rules require, be “freely given.”” (at 2)

“Absent prejudice, or a strong showing of any of the remaining factors, a presumption exists under Rule 15(a) in favor of granting leave to amend.” (at 2)

FACTUAL BACKGROUND

Plaintiff alleged that defendants violated the Americans with Disabilities Act and California law by failing to remove access barriers at the Sunflower Marketplace shopping center in Fresno, California. A May 14, 2025 site inspection and consultant findings revealed additional alleged barriers, and defendants' written discovery responses revealed information concerning an allegedly responsible property, CX Sunflower, LLC. Plaintiff sought to add those barriers and defendant while discovery was still in its early stages.

PROCEDURAL HISTORY

Charles Quick filed an action asserting violations of the Americans with Disabilities Act and California law based on alleged barriers to access at the Sunflower Marketplace shopping center. Before the scheduling-order deadline for amendments expired, Quick moved for leave to amend based on information obtained from a site inspection and defendants' written discovery responses. No defendant opposed the motion, and the court granted leave to amend.

DISPOSITION

other

CASES CITED

- Bencomo v. County of Sacramento, No. 2:23-cv-00440-DAD-JDP, 2024 WL 382381, at *1 (E.D. Cal. Jan. 31, 2024)
- Coleman v. Quaker Oats Co., 232 F.3d 1271, 1294 (9th Cir. 2000)
- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604 (9th Cir. 1992)
- Foman v. Davis, 371 U.S. 178, 182 (1962)
- Chudacoff v. Univ. Med. Center of S. Nev., 649 F.3d 1143, 1152 (9th Cir. 2011)
- United States v. Webb, 655 F.2d 977, 979 (9th Cir. 1981)
- Johnson v. Buckley, 356 F.3d 1067, 1077 (9th Cir. 2004)
- Bonin v. Calderon, 59 F.3d 815, 845 (9th Cir. 1995)
- Western Shoshone Nat'l Council v. Molini, 951 F.2d 200, 204 (9th Cir. 1991)
- Eminence Capital, LLC v. Aspeon, Inc., 316 F.3d 1048, 1052 (9th Cir. 2003)
- Jackson v. Bank of Hawaii, Jackson v. Bank of Hawaii, 902 F.2d 1385, 1387 (9th Cir. 1990)