

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Esparza v. Collectibles Management Resources, Inc.

Esparza · No. 1:24-cv-01547-KES-HBK · Decided March 11, 2025

OPINION

Esparza v. Collectibles Management Resources, Inc.

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 ALFRED ESPARZA, Case No. 1:24-cv-01547-KES-HBK 12 Plaintiff,

ORDER GRANTING CONSTRUED MOTION

13 v. TO AMEND COMPLAINT AND

SUBSTITUTE CORRECT NAME OF PARTY

14 COLLECTIBLES MANAGEMENT

RESOURCES, INC., AMERICAN (Doc. No. 26)

15 AMBULANCE BILLING, LP,

ADVENTIST HEALTH CARE

16 NETWORK, INC., AND SEQUOIA

INSITUTE FOR SURGICAL SERVCIES,

17 INC. 18 Defendants. 19 20 Pending before the Court is Defendant, Hanford Community
Hospital dba Adventist 21 Health Hanford and Plaintiff Alfredo Esparza (collectively “the
Parties”) joint Stipulation to 22 Substitute Correct Name of Defendant filed March 7, 2025. (Doc.
No. 26). 23 On December 17, 2024, Plaintiff this action naming, inter alia, Adventist Health Care
24 Network, Inc. as a defendant. (Doc. No. 1 at 1-2). The Parties acknowledge that the Defendant
25 Adventist Health Care Network, Inc. is not the correct name of the Defendant sued herein.
(Doc.

26 No. 26 at 1). Thus, the Parties agree the correct named defendant, Defendant, “Hanford
27 Community Hospital dba Adventist Hanford,” should be substituted in place of “Adventist 28
Health Care Network, Inc” throughout all portions of the Plaintiffs’ Complaint (Id. 1-2). 1 |
Additionally, the Parties request that all future filing and the case caption be amended to 2 |
substitute “Hanford Community Hospital dba Adventist Health Hanford” in place of “Adventist 3 |
Health Care Network, Inc.” 4 Given that Defendant Hanford Community Hospital dba Adventist
Health Hanford 5 || consents to the amendment changing the name of the party, the Court
construes the Joint 6 | Stipulation as a motion brought under pursuant to Federal Rule of Civil

Procedure 15(a)(2) and 7 | 15(c)\C.\(C). Ud. at 2). 8 Accordingly, it is ORDERED: 9 1. The Joint Stipulation (Doc. No. 26), construed as a motion under Fed. R. Civ. P. 15(a)(2) 10 and 15(c)(1) (C), is GRANTED. 11 2. Defendant, Hanford Community Hospital dba Adventist Hanford should be substituted in 12 place of Adventist Health Care Network, Inc. throughout all portions of the Plaintiffs' 13 Complaint. 14 3. The Clerk of Court shall correct the docket to reflect that Hanford Community Hospital 15 dba Adventist Health Hanford" is substituted in place of Adventist Health Care Network, 16 Inc. 17 | Dated: _ March 10, 2025 Mihaw. Wh. foareh Zaskth

19 HELENA M. BARCH-KUCHTA

UNITED STATES MAGISTRATE JUDGE

21 22 23 24 Aa ' A party's consent does not eliminate Plaintiff's right to file an amended complaint under Fed. R. Civ. P. 26 15(a)(1). Ramirez v. Cnty. of San Bernardino, 806 F.3d 1002, 1008 (9th Cir, 2015) (holding a "[p]laintiff's 15(a)(2) amendment, filed first in time, cannot be construed as a waiver or exhaustion of his automatic 27 || right to amend under 15(a)(1), so long as that amendment was timely." See also T.T. v. Cnty. of San 38 Diego, No. 319-CV-00407-AJB-AGS, 2020 WL 516146, at *3 (S.D. Cal. Jan. 31, 2020).