

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Maxime Kien, et al. v. Allied Van Lines, Inc.

Kien v. Allied Van Lines · No. 2:24-cv-01153-CDS-EJY · Decided January 14, 2026

SUMMARY

The United States District Court for the District of Nevada granted Allied Van Lines, Inc.’s motion for summary judgment in a Carmack Amendment action concerning allegedly missing household goods during an interstate move. The court concluded that the plaintiffs failed to provide evidence creating a genuine dispute regarding damages, an essential element of their claim. The court denied Allied’s motion for judgment as moot and directed the clerk to enter judgment and close the case.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Cristina D. Silva
JURISDICTION	United States District Court for the District of Nevada
DECIDED	January 14, 2026
DOCKET	2:24-cv-01153-CDS-EJY
DISPOSITION	other
PROCEDURAL POSTURE	Defendant's motion for summary judgment in a removed Carmack Amendment action.
STANDARD OF REVIEW	Summary judgment is appropriate when, viewing the evidence in the light most favorable to the nonmovant, there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. Once the movant demonstrates an absence of evidence supporting an essential element, the burden shifts to the nonmoving party to produce specific admissible evidence showing a genuine dispute for trial.
PRECEDENTIAL VALUE	Unpublished federal district court order; precedential status not specified.
PARTIES	Maxime Kien, Jennifer Kien v. Allied Van Lines, Inc.

TOPICS

- summary judgment
- commercial litigation
- damages
- breach of contract
- civil procedure

PRACTICE AREAS

Civil procedure

Transportation law

Commercial litigation

Contract law

QUESTIONS PRESENTED

1. Whether Allied was entitled to summary judgment because the Kiens failed to produce evidence supporting the damages element of their Carmack Amendment claim.
2. Whether Allied's motion for judgment on partial findings should be denied as moot after summary judgment was granted.
3. Whether the Kiens' response should be treated as a motion for reconsideration of the prior order granting Allied's motion in limine and denying a request to reopen discovery.

HOLDINGS

1. Allied was entitled to summary judgment because the Kiens failed to produce evidence creating a genuine dispute of material fact regarding damages, an essential element of their Carmack Amendment claim.
2. Allied's motion for judgment on partial findings was denied as moot because the court granted Allied's motion for summary judgment.
3. The Kiens did not establish a valid basis for reconsideration of the prior order granting the motion in limine and denying the request to reopen discovery.

KEY QUOTATIONS

“Summary judgment is appropriate when the evidence, viewed in the light most favorable to the nonmovant, indicates “no genuine dispute as to any material fact” and that “the movant is entitled to judgment as a matter of law.”” (at 2)

“To prevail on a claim under the Carmack Amendment, a plaintiff must demonstrate three elements: (1) the goods were delivered to the carrier in good condition; (2) “the goods were damaged or loss while in the carrier’s possession”; and (3) damages.” (at 4)

“So I find that there are no disputed issues of material fact regarding the plaintiffs’ damages under the Carmack Amendment, and Allied’s motion for summary judgment is granted.” (at 5)

FACTUAL BACKGROUND

Allied contracted with Maxime and Jennifer Kien to pack, transport, and unpack their household belongings from Las Vegas, Nevada, to West Orange, New Jersey. The Kiens purchased \$125,000 in extra-care protection, later discovered that kitchen items were missing, and submitted a claim for \$23,928.89. They alleged that Allied was liable under the Carmack Amendment for the loss, but they did not provide evidence supporting their claimed damages.

PROCEDURAL HISTORY

Plaintiffs initially filed state-law claims in the Eighth Judicial District Court of Nevada. Allied removed the action on the ground that the claims were completely preempted by the Carmack Amendment, after which plaintiffs filed an amended complaint asserting a claim under 49 U.S.C. § 14706. The court previously granted Allied's motion in limine barring plaintiffs from introducing evidence concerning damages and denied plaintiffs' request to reopen discovery. Allied then moved for summary judgment and for judgment on partial findings. The court granted summary judgment and denied the latter motion as moot.

DISPOSITION

other

CASES CITED

- *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248, 250-51 (1986)
- *Harper v. Wallingford*, 877 F.2d 728, 731 (9th Cir. 1989)
- *Musick v. Burke*, 913 F.2d 1390, 1394 (9th Cir. 1990)
- *Sonner v. Schwabe N. Am., Inc.*, 911 F.3d 989, 992 (9th Cir. 2018)
- *Galen v. County of Los Angeles*, 477 F.3d 652, 658 (9th Cir. 2007)
- *Bhan v. NME Hosps., Inc.*, 929 F.2d 1404, 1409 (9th Cir. 1991)
- *United States v. Bensimon*, 172 F.3d 1121, 1127 (9th Cir. 1999)
- *White v. Mayflower Transit, L.L.C.*, 543 F.3d 581, 584 (9th Cir. 2008)
- *Hall v. N. Am. Van Lines, Inc.*, 476 F.3d 683, 687-88 (9th Cir. 2007)
- *Hughes Aircraft Co. v. N. Am. Van Lines, Inc.*, 970 F.2d 609, 613 (9th Cir. 1992)
- *ASARCO LLC v. Eng. Logistics Inc.*, 71 F. Supp. 3d 990, 994 (D. Ariz. 2014)
- *Missouri P.R. Co. v. Elmore & Stahl*, 377 U.S. 134, 138 (1964)
- *Thousand Springs Trout Farms, Inc. v. IML Freight, Inc.*, 558 F.2d 539, 542 (9th Cir. 1977)
- *Forman Motorworks, LLC v. Sema Logistics, Inc.*, 2025 U.S. Dist. LEXIS 154245, at *17 (D. Ariz. Aug. 8, 2025)
- *Moalem v. FedEx Ground Package Sys., Inc.*, 2021 U.S. Dist. LEXIS 269008, at *7 (D. Nev. Mar. 9, 2021)
- *Frasure v. United States*, 256 F. Supp. 2d 1180, 1183 (D. Nev. 2003)
- *MSIG Mingtai Ins. Co., Ltd v. In-Depth Transp. Inc.*, 2025 U.S. Dist. LEXIS 128512, at *12 (C.D. Cal. June 30, 2025)