

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
TEXAS, SHERMAN DIVISION

**Abedian v. Mueller, KAG Leasing, Inc., Transport Resources, Inc.,
KAG Specialty Products Group, LLC, and Yokohama Tire
Corporation**

Abedian · No. 4:25-cv-512 · Decided February 18, 2026

SUMMARY

The United States District Court for the Eastern District of Texas denied motions to dismiss and for summary judgment filed by Brian Mueller and KAG Specialty Products Group, LLC in a motor-vehicle-accident case. The court granted Plaintiff Laila Abedian’s motion to quash notices seeking her second deposition, finding that the unilaterally selected deposition date imposed an undue burden.

CASE DETAILS

COURT	United States District Court for the Eastern District of Texas, Sherman Division
WRITING FOR THE COURT	Judge Mazzant
JURISDICTION	United States District Court for the Eastern District of Texas, Sherman Division
DECIDED	February 18, 2026
DOCKET	4:25-cv-512
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought negligence, vicarious-liability, negligence, and negligence-per-se claims arising from a motor-vehicle accident. The court ruled on defendants' Rule 12(b)(6) motion, amended motion for summary judgment, and plaintiff's motion to quash a second deposition notice.
STANDARD OF REVIEW	For the Rule 12(b)(6) motion, the court accepted well-pleaded facts as true, viewed them in the light most favorable to plaintiff, disregarded conclusory allegations, and determined whether the complaint plausibly stated a claim. For summary judgment, the court applied Rule 56 and considered whether a genuine dispute of material fact existed, resolving reasonable doubts for the nonmovant without weighing evidence or making credibility determinations. For the

	motion to quash, the court applied the good-cause and need-for-protection standard under Rule 26(c).
PRECEDENTIAL VALUE	unpublished district court memorandum opinion and order; precedential status unknown
PARTIES	Laila Abedian v. Brian Mueller, KAG Leasing, Inc., Transport Resources, Inc., KAG Specialty Products Group, LLC, Yokohama Tire Corporation

TOPICS

motions to dismiss

summary judgment

discovery dispute

negligence

civil procedure

PRACTICE AREAS

civil procedure

torts

negligence

discovery

QUESTIONS PRESENTED

1. Whether Abedian's Third Amended Petition plausibly stated claims against Mueller and KAG Specialty under Rule 12(b)(6).
2. Whether Mueller and KAG Specialty were entitled to summary judgment on Abedian's negligence, vicarious-liability, negligence, and negligence-per-se claims because no genuine dispute of material fact existed.
3. Whether Abedian showed good cause and a need for protection sufficient to quash notices unilaterally setting her second deposition.

HOLDINGS

1. The complaint stated plausible claims for relief against Mueller and KAG Specialty, so dismissal under Rule 12(b)(6) was unwarranted.
2. Mueller and KAG Specialty did not demonstrate the absence of a genuine dispute of material fact or entitlement to judgment as a matter of law; their amended motion for summary judgment was denied.
3. The motion to quash was granted because Abedian showed that defendants unilaterally selected the date and time for a second deposition and imposed an undue burden, and defendants did not oppose the motion.

KEY QUOTATIONS

“A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged.”

“Summary judgment is proper under Rule 56(a) of the Federal Rules of Civil Procedure “if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.””

“To quash a notice of deposition, the movant must “show good cause and the need for protection.””

FACTUAL BACKGROUND

The lawsuit arose from a May 28, 2023 motor-vehicle accident involving a commercial tractor-trailer and a tire tread that allegedly detached and collided with Abedian's vehicle. Abedian alleged that Mueller negligently operated or maintained the tractor-trailer and that KAG Specialty was vicariously liable and independently negligent, including in hiring, training, or entrusting Mueller. Defendants sought dismissal and summary judgment, while Abedian challenged notices setting a second deposition on a date and time selected unilaterally by defendants.

PROCEDURAL HISTORY

Laila Abedian filed the action on May 14, 2025, and filed a Third Amended Petition on July 17, 2025. Brian Mueller and KAG Specialty Products Group, LLC moved to dismiss under Rule 12(b)(6) and later moved for summary judgment. Abedian moved to quash notices setting her second deposition. The court denied both defense motions and granted the motion to quash.

DISPOSITION

other

CASES CITED

- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Bowlby v. City of Aberdeen, 681 F.3d 215, 219 (5th Cir. 2012)
- Lone Star Fund V (U.S.), L.P. v. Barclays Bank PLC, 594 F.3d 383, 387 (5th Cir. 2010)
- Ashcroft v. Iqbal, 556 U.S. 662, 664, 678-79 (2009)
- In re S. Scrap Material Co., LLC, 541 F.3d 584, 587 (5th Cir. 2008)
- Celotex Corp. v. Catrett, 477 U.S. 317, 323-25 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248-49, 257 (1986)
- Casey Enters., Inc. v. Am. Hardware Mut. Ins. Co., 655 F.2d 598, 602 (5th Cir. 1981)
- Fontenot v. Upjohn Co., 780 F.2d 1190, 1194 (5th Cir. 1986)
- Byers v. Dall. Morning News, Inc., 209 F.3d 419, 424 (5th Cir. 2000)
- Solomon v. Hous. Corrugated Box Co., 526 F.2d 389, 396-97 (5th Cir. 1976)
- In re Mun. Bond Reporting Antitrust Litig., 672 F.2d 436, 440 (5th Cir. 1982)
- Turner v. Baylor Richardson Med. Ctr., 476 F.3d 337, 343 (5th Cir. 2007)
- United States ex rel. Woodard v. Davita, Inc., No. 1:05-cv-2274, 2011 WL 13199233, at *3 (E.D. Tex. Sept. 26, 2011)
- Staton Holdings, Inc. v. Russell Athletic, Inc., No. 3:09-cv-419, 2010 WL 1372749, at *2 (N.D. Tex. Apr. 7, 2010)
- Ferko v. Nat'l Ass'n for Stock Car Racing, Inc., 218 F.R.D. 125, 133 (E.D. Tex. 2003)

