

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Timothy Talamante v. Chris Piaete, et al.

Talamante · No. 3:24-CV-00509-ART-CLB · Decided December 16, 2025

SUMMARY

The United States District Court for the District of Nevada granted Plaintiffs’ motion for leave to file an amended complaint in a consolidated civil rights action alleging exposure to carbon monoxide at Northern Nevada Correctional Center. The court found no bad faith, undue delay, prejudice, or futility, and directed the Clerk to file the amended complaint as the operative complaint.

CASE DETAILS

COURT	United States District Court for the District of Nevada
JURISDICTION	United States District Court for the District of Nevada
DECIDED	December 16, 2025
DOCKET	3:24-CV-00509-ART-CLB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved under Federal Rule of Civil Procedure 15(a)(2) for leave to file an amended complaint after related civil-rights actions were consolidated. Defendants opposed the motion by arguing that class certification should be denied.
STANDARD OF REVIEW	Leave to amend under Rule 15(a)(2) should be freely given when justice so requires, with the relevant factors generally considered in favor of amendment.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Timothy Talamante, James Lowe, Eric Buhl, Tehki Santiago Bill, Dennis Garcia, Justin Johnson v. Chris Piaete, et al.

TOPICS

- motion to amend
- class actions
- pleadings
- section 1983
- civil procedure

PRACTICE AREAS

- Civil procedure
- Civil rights
- Prisoner civil rights
- Class actions

QUESTIONS PRESENTED

1. Whether plaintiffs should be granted leave under Federal Rule of Civil Procedure 15(a)(2) to file an amended complaint after consolidation of related actions.
2. Whether the court should deny leave to amend because the proposed class allegations were allegedly improper or because class certification could not yet be addressed.

HOLDINGS

1. Leave to amend should be granted because the Rule 15 factors—bad faith, undue delay, prejudice, and futility—all weigh in favor of amendment.
2. The challenge to the proposed class allegations was premature at the pleading stage; class certification should ordinarily be addressed after sufficient discovery and a rigorous analysis of the Rule 23 requirements.

KEY QUOTATIONS

“Courts consider the following four factors when determining whether to grant a motion to amend: (1) “bad faith;” (2) “undue delay;” (3) “prejudice to the opposing party;” and/or (4) “futility.”” (at 1)

“The “better and more advisable practice” is to reach the issue of class certification only once the parties have conducted “enough discovery” “to present evidence as to whether a class action [is] maintainable.”” (at 2)

FACTUAL BACKGROUND

Several incarcerated plaintiffs alleged that they were exposed to carbon monoxide while working in the culinary facility at Northern Nevada Correctional Center. Their related § 1983 actions were consolidated to streamline litigation. Plaintiffs sought to amend their complaint to consolidate the claims and plaintiffs into one pleading, add class allegations and defendants, and incorporate newly discovered factual information. Defendants did not argue that the amendment would cause prejudice or otherwise object to amendment, instead contending that class certification should be denied.

PROCEDURAL HISTORY

Several incarcerated plaintiffs filed separate 42 U.S.C. § 1983 actions alleging exposure to carbon monoxide while working in a culinary facility at Northern Nevada Correctional Center. The cases were consolidated, and plaintiffs moved to amend to combine the claims, add class allegations and defendants, and include newly discovered facts. The district court granted leave to amend, directed the Clerk to file the proposed amended complaint as the operative complaint, and set deadlines for service-related notices and defendants' responses.

DISPOSITION

other

CASES CITED

- *Eminence Cap., LLC v. Aspeon, Inc.*, 316 F.3d 1048, 1051 (9th Cir. 2003)
- *Owens v. Kaiser Found. Health Plan, Inc.*, 244 F.3d 708, 712 (9th Cir. 2001)
- *Griggs v. Pace Am. Grp., Inc.*, 170 F.3d 877, 880 (9th Cir. 1999)
- *Picus v. Wal-Mart Stores, Inc.*, 256 F.R.D. 651, 655 (D. Nev. 2009)
- *Doninger v. Pac. Nw. Bell, Inc.*, 564 F.2d 1304, 1313 (9th Cir. 1977)
- *In re Wal-Mart Stores, Inc. Wage & Hour Litig.*, 505 F. Supp. 609, 615 (N.D. Cal. 2007)
- *Zinser v. Accufix Rsch. Inst., Inc.*, 253 F.3d 1180, 1185 (9th Cir. 2001)
- *Valentino v. Carter-Wallace, Inc.*, 97 F.3d 1227, 1233 (9th Cir. 1996)