

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Laura Melina Roberts v. Conduent State and Local Solutions, LLC,
et al.

Roberts · No. 1:25-cv-01329-CDB · Decided November 6, 2025

SUMMARY

The United States District Court for the Eastern District of California vacated the scheduled hearing on Plaintiff’s motion to remand and the initial scheduling conference. Because an unserved defendant had not consented to magistrate judge jurisdiction and the motion to remand was dispositive, the court directed random assignment of a district judge and denied the parties’ stipulated request to continue the hearings as moot.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 6, 2025
DOCKET	1:25-cv-01329-CDB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to remand the removed action and noticed the motion before a magistrate judge. Before the hearing, the parties stipulated to continue the remand hearing and initial scheduling conference. The court vacated both settings, denied the continuance request as moot, and directed random assignment of a district judge because an unserved defendant had not consented to magistrate judge jurisdiction.
PRECEDENTIAL VALUE	Nonprecedential district court order

TOPICS

- civil procedure
- subject matter jurisdiction
- service of process

PRACTICE AREAS

- civil procedure
- removal and remand
- magistrate judge jurisdiction

QUESTIONS PRESENTED

1. Whether a magistrate judge may hear Plaintiff's motion to remand without the consent of all parties, including an unserved defendant.
2. Whether the initial scheduling conference should proceed when the pending motion to remand is dispositive and may dispose of the federal proceedings.
3. Whether the parties' stipulated request to continue the remand hearing and initial scheduling conference should be granted.

HOLDINGS

1. Consent to magistrate judge jurisdiction may not be entered absent consent of all parties, including unserved defendants. Because Defendant Zughayer remained unserved, the motion to remand was improperly noticed before the magistrate judge.
2. The initial scheduling conference may be rendered moot when a pending dispositive motion to remand could dispose of all federal proceedings; accordingly, the conference was vacated pending disposition of the remand motion.

KEY QUOTATIONS

"Consent to magistrate judge jurisdiction may not be entered absent consent of all parties, including unserved defendants." (at 1)

"Additionally, it follows that, as the motion to remand is dispositive and a ruling on the motion may dispose of all federal proceedings in this case, the initial scheduling conference may, therefore, be rendered moot." (at 1)

FACTUAL BACKGROUND

Plaintiff initiated the action in state court against Conduent State and Local Solutions, LLC and Ameera Zughayer. Conduent removed the action to federal court, after which Plaintiff filed a motion to remand. Zughayer had not yet been served, and thus had not consented to magistrate judge jurisdiction. The parties sought to continue the remand hearing and initial scheduling conference because Conduent's counsel was unavailable.

PROCEDURAL HISTORY

Plaintiff filed the action in California state court on September 11, 2025. Defendant Conduent removed it to federal court on October 6, 2025, and Plaintiff moved to remand on October 22, 2025. Defendant Zughayer had not been served and therefore had not consented to magistrate judge jurisdiction. The court concluded that the motion to remand was dispositive, vacated the hearing and initial scheduling conference, and ordered reassignment to a district judge.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand was ordered. The Clerk was directed to randomly assign a district judge. Following reassignment, Plaintiff may re-notice the motion to remand before the assigned district judge. The initial scheduling conference may be reset as necessary after disposition of the motion to remand.

CASES CITED

- Williams v. King, 875 F.3d 500, 504 (9th Cir. 2017)
- Flam v. Flam, 788 F.3d 1043, 1047 (9th Cir. 2015)

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