

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Michelle M. Lopez v. Sundt Construction, Inc., et al.

Lopez · No. 2:25-cv-02412-DAD-AC · Decided December 16, 2025

SUMMARY

This document is a scheduling order issued by the United States District Court for the Eastern District of California in Lopez v. Sundt Construction, Inc., et al., No. 2:25-cv-02412-DAD-AC. It establishes deadlines for disclosures, fact and expert discovery, motions, settlement, the final pretrial conference, and jury trial, with a final pretrial conference set for July 12, 2027, and trial set for September 14, 2027.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Dale A. Drozd
DECIDED	December 16, 2025
DOCKET	2:25-cv-02412-DAD-AC
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued a scheduling order under Federal Rule of Civil Procedure 16(b) after reviewing the parties' joint status report.
STANDARD OF REVIEW	Discovery rulings by the assigned magistrate judge may be modified by the district court only when shown to be clearly erroneous or contrary to law.
PRECEDENTIAL VALUE	nonprecedential case-management order
PARTIES	Michelle M. Lopez v. Sundt Construction, Inc., Sundt Construction, Inc. Northern California, et al.

TOPICS

- civil procedure
- discovery dispute
- joinder
- motion to amend
- service of process

PRACTICE AREAS

- civil procedure
- construction law

QUESTIONS PRESENTED

1. Whether the court could issue a scheduling order without consulting the parties at a scheduling conference.
2. What deadlines and procedures should govern service, joinder, amendment of pleadings, discovery, motions, settlement, pretrial proceedings, and trial.
3. What standard governs district-court review of discovery rulings by the assigned magistrate judge.

HOLDINGS

1. The court may issue the scheduling order without consulting the parties at a scheduling conference because the parties' joint status report provided a sufficient basis under Federal Rule of Civil Procedure 16(b)(1)(B); the initial scheduling conference was therefore vacated.
2. After entry of the scheduling order, no further joinder of parties or amendment of pleadings is permitted without leave of court and a showing of good cause; a request to amend or a stipulation alone does not establish good cause.
3. A magistrate judge's discovery ruling is subject to modification by the district court only upon a showing that the ruling is clearly erroneous or contrary to law.

KEY QUOTATIONS

“Accordingly, the court vacates the initial scheduling conference set for December 22, 2025 and hereby issues this scheduling order.” (at 1)

“No further joinder of parties or amendments to pleadings is permitted without leave of court, good cause having been shown.” (at 2)

FACTUAL BACKGROUND

The case was removed to the Eastern District of California and involved claims by Michelle M. Lopez against Sundt Construction, Inc. and related defendants. The named defendants had been served, and the parties submitted a joint status report stating that they did not anticipate additional joinder or pleading amendments. The court used that report to establish a case schedule and related case-management procedures.

PROCEDURAL HISTORY

The court determined that it need not conduct the initial scheduling conference and vacated the conference set for December 22, 2025. It issued deadlines and procedures governing service, joinder, amendment, discovery, motions, settlement, pretrial proceedings, and trial. The order also directed the plaintiff to file a notice or stipulation effecting the voluntary dismissal without prejudice of Sundt Construction, Inc. Northern California.

DISPOSITION

other

CASES CITED

- Johnson v. Mammoth Recreations, Inc., 975 F.2d 604 (9th Cir. 1992)
- Foman v. Davis, 371 U.S. 178, 182 (1962)

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