

1 The Court will construe this request as one under Federal Rule of Civil Procedure 69(a),
2 which “empowers federal courts to rely on state law to add judgment-debtors” to money
3 judgments. *In re Levander*, 180 F.3d 1114, 1120-21 (9th Cir. 1999).¹ Under Rule 69(a)(1), a
4 federal district court sitting in California may apply California Code of Civil Procedure section
5 187 (“Section 187”), which permits “amend[ment of] a judgment to add additional judgment
6 debtors.” *In re Levander*, 180 F.3d at 1121 (*quoting Issa v. Alzammar*, 38 Cal. App. 4th Supp. 1,
7 4 (1995)). “Section 187 is premised on the notion that [an] amendment [adding a judgment
8 debtor] ‘is merely inserting the correct name of the real defendant,’ such that adding a party to a
9 judgment after the fact does not present due process concerns.” *Katzir’s Floor & Home Design,*
10 *Inc. v. M-MLS.com*, 394 F.3d 1143, 1148 (9th Cir. 2004). Section 187 is most frequently utilized
11 to add an individual or other corporate judgment debtor that is the alter ego of an original
12 corporate judgment debtor, such as after a name change, merger dissolution, or other related
13 change. *E.g., Greenspan v. LADT, LLC*, 191 Cal. App. 4th 486, 508 (2010). Yet, the statute is
14 broadly framed to permit a court to “use all the means necessary” to effectuate its jurisdiction.
15 Cal. Civ. Proc. Code § 187. Section 187 has therefore been interpreted to permit the modification
16 of judgments to reflect situations in which the judgment debtor changes their own name, such as
17 through marriage. *See Arhart, Cal. Prac. Guide: Enf. J. & Debt* (The Rutter Group 2021), Ch.
18 6G-14. The moving party bears the burden of proof by a preponderance of the evidence.
19 *Highland Springs Conf. & Training Ctr. v. City of Banning*, 244 Cal. App. 4th 267, 280 (2016).

20 The Court finds that Plaintiff has met his burden. The certified public records attached to
21 the declaration of Plaintiff’s counsel indicate that Amanda Florez transferred property to herself
22 under a new name: Amanda A. Vartanian. (Doc. 60-3, Ex. A.) Accordingly, the Court GRANTS
23 Plaintiff’s motion to amend the judgment.

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25 ¹ Plaintiff frames the motion as one under Fed. R. Civ. P. 60(a), which permits a court to “correct a
26 clerical mistake or a mistake arising from oversight or omission whenever one is found in a judgment,
27 order, or other part of the record.” (Doc. 60-1 at 2.) There is caselaw to support the use of Rule 60(a) to
28 change the name in a judgment if at the time the original judgment was entered there was a typographical
error or other similar “mistake” in the relevant documentation. *Icho v. Hammer*, 434 F. App’x 588, 589
(9th Cir. 2011). Here, however, Rule 60(a) is not relevant, as there is no indication that the judgment in
this case was erroneous in any way at the time it was entered.

1 CONCLUSION AND ORDER

2 For the reasons set forth above:

3 (1) Plaintiff's motion to amend the judgment (Doc. 60) is GRANTED.

4 (2) The Clerk of Court may, upon submission of the appropriate forms, issue an abstract of
5 judgment in favor of Plaintiff with the name Amanda A. Vartanian in place of Amanda
6 Florez.

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8 IT IS SO ORDERED.

9 Dated: May 2, 2022


UNITED STATES DISTRICT JUDGE