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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 ALFRED ESPARZA,

12 Plaintiff,

13 v.

14 COLLECTIBLES MANAGEMENT
15 RESOURCES, INC., AMERICAN
16 AMBULANCE BILLING, LP,
17 ADVENTIST HEALTH CARE
18 NETWORK, INC., AND SEQUOIA
19 INSITUTE FOR SURGICAL SERVCIES,
20 INC.

21 Defendants.
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Case No. 1:24-cv-01547-KES-HBK

ORDER GRANTING CONSTRUED MOTION
TO AMEND COMPLAINT AND
SUBSTITUTE CORRECT NAME OF PARTY

(Doc. No. 26)

23 Pending before the Court is Defendant, Hanford Community Hospital dba Adventist
24 Health Hanford and Plaintiff Alfredo Esparza (collectively “the Parties”) joint Stipulation to
25 Substitute Correct Name of Defendant filed March 7, 2025. (Doc. No. 26).

26 On December 17, 2024, Plaintiff this action naming, *inter alia*, Adventist Health Care
27 Network, Inc. as a defendant. (Doc. No. 1 at 1-2). The Parties acknowledge that the Defendant
28 Adventist Health Care Network, Inc. is not the correct name of the Defendant sued herein. (Doc.
No. 26 at 1). Thus, the Parties agree the correct named defendant, Defendant, “Hanford
Community Hospital dba Adventist Hanford,” should be substituted in place of “Adventist
Health Care Network, Inc” throughout all portions of the Plaintiffs’ Complaint (*Id.* 1-2).

1 Additionally, the Parties request that all future filing and the case caption be amended to
2 substitute “Hanford Community Hospital dba Adventist Health Hanford” in place of “Adventist
3 Health Care Network, Inc.”

4 Given that Defendant Hanford Community Hospital dba Adventist Health Hanford
5 consents to the amendment changing the name of the party, the Court construes the Joint
6 Stipulation as a motion brought under pursuant to Federal Rule of Civil Procedure 15(a)(2) and
7 15(c)(1)(C). (*Id.* at 2).¹

8 Accordingly, it is **ORDERED**:

- 9 1. The Joint Stipulation (Doc. No. 26), construed as a motion under Fed. R. Civ. P. 15(a)(2)
10 and 15(c)(1)(C), is GRANTED.
- 11 2. Defendant, Hanford Community Hospital dba Adventist Hanford should be substituted in
12 place of Adventist Health Care Network, Inc. throughout all portions of the Plaintiffs’
13 Complaint.
- 14 3. The Clerk of Court shall correct the docket to reflect that Hanford Community Hospital
15 dba Adventist Health Hanford” is substituted in place of Adventist Health Care Network,
16 Inc.

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18 Dated: March 10, 2025


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE

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26 ¹ A party’s consent does not eliminate Plaintiff’s right to file an amended complaint under Fed. R. Civ. P.
27 15(a)(1). *Ramirez v. Cnty. of San Bernardino*, 806 F.3d 1002, 1008 (9th Cir. 2015) (holding a “[p]laintiff’s
28 15(a)(2) amendment, filed first in time, cannot be construed as a waiver or exhaustion of his automatic
right to amend under 15(a)(1), so long as that amendment was timely.” *See also T.T. v. Cnty. of San
Diego*, No. 319-CV-00407-AJB-AGS, 2020 WL 516146, at *3 (S.D. Cal. Jan. 31, 2020).