

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

SEP 25 2026

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

LAURIE THORSON,

Plaintiff - Appellant,

v.

HAWAII PUBLIC HOUSING
AUTHORITY, also known as HPHA;
HAKIM OUANSAFI, HPHA Executive
Director; RYAN AKAMINE, HPHA Chief
Compliance Ofr; LYLE MATSUURA,
HPHA Supervisor IV,

Defendants - Appellees.

No. 25-3663

D.C. No. 1:23-cv-00412-MWJS-
WRP

MEMORANDUM*

Appeal from the United States District Court
for the District of Hawaii
Micah W. J. Smith, District Judge, Presiding

Submitted September 22, 2026**

Before: OWENS, COLLINS, and SUNG, Circuit Judges.

Laurie Thorson appeals pro se from the district court's summary judgment in

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

her action alleging discrimination and retaliation under the Fair Housing Act (“FHA”). We have jurisdiction under 28 U.S.C. § 1291. We review de novo. *Walker v. City of Lakewood*, 272 F.3d 1114, 1122 (9th Cir. 2001). We affirm.

The district court properly granted summary judgment on Thorson’s FHA discrimination claim because Thorson failed to raise a genuine dispute of material fact as to whether defendants refused to make the accommodations Thorson requested to address her disability. *See Dubois v. Ass’n of Apartment Owners of 2987 Kalakaua*, 453 F.3d 1175, 1179 (9th Cir. 2006) (setting forth elements of discrimination claim on the basis of disability under the FHA).

The district court properly granted summary judgment on Thorson’s FHA retaliation claim because Thorson failed to raise a genuine dispute of material fact as to whether defendants’ legitimate, non-discriminatory and non-retaliatory reasons for investigating Thorson’s live-in aide arrangement were pretextual. *See Walker*, 272 F.3d at 1128 (setting forth elements of retaliation claim under the FHA and explaining that after the defendant shows a legitimate, non-discriminatory reason for its decision, the burden shifts to the plaintiff to show that the reason was pretextual); *Coghlan v. Am. Seafoods Co. LLC*, 413 F.3d 1090, 1094-95 (9th Cir. 2005) (explaining that when the plaintiff in a Title VII case relies on circumstantial evidence to show pretext, the evidence must be “specific and substantial to defeat the employer’s motion for summary judgment” (citation and

internal quotation marks omitted)); *see also Budnick v. Town of Carefree*, 518 F.3d 1109, 1113-14 (9th Cir. 2008) (explaining that Title VII analysis applies to FHA claims).

The district court did not abuse its discretion by denying Thorson's first motion for leave to file an amended complaint because the amendment would have been futile. *See Cervantes v. Countrywide Home Loans, Inc.*, 656 F.3d 1034, 1041 (9th Cir. 2011) (setting forth standard of review and explaining that leave to amend may be denied when amendment would be futile). The district court did not abuse its discretion by denying Thorson's second motion for leave to file an amended complaint because Thorson failed to establish good cause for filing her motion three months after the deadline for amended pleadings had expired. *See Fed. R. Civ. P. 16(b)(4)* (stating that a scheduling order "may be modified only for good cause and with the judge's consent"); *Kamal v. Eden Creamery, LLC*, 88 F.4th 1268, 1277 (9th Cir. 2023) (standard of review).

Thorson's contention that the district court failed to give her required notice of summary judgment lacks merit. *See Jacobsen v. Filler*, 790 F.2d 1362, 1364-67 (9th Cir. 1986) (declining to extend rule requiring notice of summary judgment obligation for pro se prisoner to pro se litigants who are not incarcerated).

AFFIRMED.