

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Carlos Pucheta v. Nissan North America, Inc.

Pucheta · No. CV 25-3582 FMO (RAOx) · Decided November 3, 2025

SUMMARY

The United States District Court for the Central District of California continued an order to show cause after the parties failed to file a required settlement status report. The court ordered the parties to appear on November 13, 2025, to show cause why sanctions and/or dismissal should not be imposed, while allowing the order to be discharged if a notice of settlement was timely filed.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Fernando M. Olguin
JURISDICTION	United States District Court for the Central District of California
DECIDED	November 3, 2025
DOCKET	CV 25-3582 FMO (RAOx)
DISPOSITION	other
PROCEDURAL POSTURE	The court issued a continued order to show cause requiring the parties to appear and explain why sanctions and/or dismissal for failure to prosecute should not be imposed.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Carlos Pucheta v. Nissan North America, Inc.

TOPICS

sanctions mediation civil procedure

PRACTICE AREAS

Civil procedure Federal litigation Failure to prosecute

QUESTIONS PRESENTED

- Whether the parties should be required to show cause why sanctions and/or dismissal for failure to prosecute should not be imposed based on their failure to comply with the court's orders.

HOLDINGS

1. The parties were required to appear and show cause why sanctions and/or dismissal should not be imposed for failing to respond to the continued order to show cause.

KEY QUOTATIONS

“Based on the foregoing, IT IS ORDERED THAT the parties shall appear on November 13, 2025, at 10:00 a.m. to show cause why dismissal and/or sanctions should not be imposed for failure to respond to the continued OSC.”

FACTUAL BACKGROUND

The parties failed to file a required notice of settlement or settlement status report. Although they later represented that mediation was scheduled for October 13, 2025 and promised to file a status report within 48 hours, they filed no status report or other document by the date of the order.

PROCEDURAL HISTORY

After the parties failed to file a notice of settlement or settlement status report, the court issued an order to show cause on October 2, 2025, based on their failure to comply with a May 27, 2025 order. The parties responded that mediation was scheduled and that a settlement status report would follow, so the court continued the order to show cause. No status report or other filing was submitted, prompting the court to require the parties to appear on November 13, 2025, and permitting discharge of the order to show cause if a notice of settlement was filed at least 24 hours before the hearing.

DISPOSITION

other

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S. Ct. 1386, 1388 (1962)
- Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002)

OPINION

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES - GENERAL Case No. CV 25-3582 FMO (RAOx) Date November 3, 2025 Title Carlos Pucheta v. Nissan North America, Inc. Present: The Honorable Fernando M. Olguin, United States District Judge Vanessa Figueroa None Present Deputy Clerk Court Reporter / Recorder Attorneys Present for Plaintiffs: Attorneys Present for Defendants: None Present None Present Proceedings: (In Chambers) Order to Show Cause On October 2, 2025, after the parties failed to file either a Notice of Settlement or a Status Report Re: Settlement, the court issued an Order to Show Cause Re: Sanctions or Dismissal (“OSC”), which ordered the parties, no later than October

9, 2025, to show cause in writing why sanctions should not be imposed for failure to comply with the Court's Order of May 27, 2025.

(See Dkt. 18, Court's Order of October 2, 2025). The OSC admonished the parties that "[f]ailure to submit a response to the OSC] by the deadline... may result in the imposition of sanctions and/or dismissal of this action for lack of prosecution." (Id.) (citing Fed. R. Civ. P. 41(b); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962); *Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir.

2002). The parties filed a response to the OSC representing that a mediation was scheduled for October 13, 2025, and that the parties would file a status report regarding settlement within 48 hours. (See Dkt. 19, Joint Status Report Regarding Settlement and Mediation).

The court continued the OSC to October 15, 2025. (See Dkt. 21). As of the date of this Order, no status report or any other document has been filed by the parties. (See, generally, Dkt.). Based on the foregoing, IT IS ORDERED THAT the parties shall appear on November 13, 2025, at 10:00 a.m. to show cause why dismissal and/or sanctions should not be imposed for failure to respond to the continued OSC.

The OSC may be discharged provided the parties file a notice of settlement at least 24 hours before the show cause hearing. 00 00 Initials of Preparer vdr