

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Fernando Gastelum v. 7-Eleven, Inc.

Gastelum · No. 3:25-cv-00637-TWR-AHG · Decided November 27, 2025

SUMMARY

The United States District Court for the Southern District of California sanctions Plaintiff Fernando Gastelum for deliberately reposting and consenting to the publication of a video from a confidential, court-ordered settlement proceeding. The Court finds that Plaintiff willfully violated the Court’s orders and applicable Local Rules by continuing to publish links to the video despite an order to show cause and repeated admonitions. The Court imposes a \$4,500 monetary sanction payable to the United States Treasury and denies Plaintiff’s motion for sanctions.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Allison H. Goddard
JURISDICTION	United States District Court for the Southern District of California
DECIDED	November 27, 2025
DOCKET	3:25-cv-00637-TWR-AHG
DISPOSITION	other
PROCEDURAL POSTURE	The court resolved its order to show cause concerning Plaintiff's publication of, or consent to the publication of, a video of a confidential court-ordered settlement proceeding; imposed monetary and nonmonetary sanctions against Plaintiff and restrictions on Peter Strojnik; and denied Plaintiff's motion for sanctions against Defendant's counsel.
STANDARD OF REVIEW	For sanctions under the court's inherent authority, the court must find either a willful violation of a court order or bad faith. The court has broad discretion to control its docket and impose sanctions. Review of Plaintiff's motion for Rule 11 sanctions also required compliance with Rule 11(c)(2)'s mandatory safe-harbor procedure.
PRECEDENTIAL VALUE	unpublished
PARTIES	Fernando Gastelum v. 7-Eleven, Inc.

TOPICS

sanctions

contempt

civil procedure

PRACTICE AREAS

civil procedure

sanctions

contempt

legal ethics and attorney discipline

QUESTIONS PRESENTED

1. Whether Plaintiff willfully violated the court's orders and applicable local rules by consenting to and repeatedly reposting a video of a confidential, court-ordered settlement proceeding.
2. Whether the court should impose monetary sanctions under its inherent authority for Plaintiff's deliberate noncompliance.
3. Whether Peter Strojnik should be barred from accompanying or assisting Plaintiff in the case.
4. Whether Plaintiff's motion for sanctions against Defendant's counsel should be granted under Federal Rule of Civil Procedure 11 or the court's other sanction authorities.
5. Whether the court should declare Plaintiff a vexatious litigant.

HOLDINGS

1. Plaintiff deliberately and willfully violated the court's order and Civil Local Rules by consenting to the publication of, and repeatedly reposting links to, a video of a confidential court-ordered settlement proceeding.
2. A \$4,500 monetary sanction was warranted under the court's inherent authority and was reasonably tailored to Plaintiff's willful conduct and the actions within his control.
3. Peter Strojnik was barred from accompanying Plaintiff to any court-mandated occurrence in the case and from assisting Plaintiff in any manner because the court found him a threat to the integrity of the proceedings.
4. Plaintiff's motion for sanctions was denied because he failed to comply with Rule 11(c)(2)'s mandatory safe-harbor procedure, and the court independently found no basis for sanctions on the merits.
5. The court declined to determine whether Plaintiff was a vexatious litigant because the record did not presently support addressing that issue under the Ninth Circuit's required procedures.

KEY QUOTATIONS

"When acting under its inherent authority to impose a sanction, as opposed to applying a rule or statute, a [] court must find either: (1) a willful violation of a court order; or (2) bad faith." (at 1-2)

"a 'willful' violation of a court order does not require proof of mental intent such as bad faith or an improper motive, but rather, it is enough that a party acted deliberately." (at 2)

"The procedural requirements of Rule 11's safe harbor provision are mandatory." (at 31)

FACTUAL BACKGROUND

The court ordered a confidential, off-the-record settlement-related meet and confer at the subject premises before an Early Neutral Evaluation Conference. A video of that proceeding was recorded and posted to YouTube and Facebook by Peter Strojnik, and Plaintiff repeatedly included links to the video in filings in this and related cases. Plaintiff did not ask Strojnik to remove the video until August 11, 2025, despite receiving the court's order to show cause explaining that publication violated the court's order and local rules. The court also found that Strojnik appeared to be acting as Plaintiff's de facto lawyer despite being disbarred in Arizona and not licensed in California.

PROCEDURAL HISTORY

The court ordered the parties to participate in a confidential, court-ordered meet and confer before an Early Neutral Evaluation Conference. Plaintiff included links to a video of the proceeding in multiple court filings even after the court issued an order to show cause and gave him an opportunity to avoid sanctions by having the video removed. Following Plaintiff's response, Defendant's response, an August 11, 2025 hearing, and supplemental briefing, the court imposed sanctions and barred Strojnik from assisting Plaintiff or attending court-mandated events. The court also denied Plaintiff's motion seeking sanctions against Defendant's counsel for alleged perjury, and transferred the matter to Magistrate Judge Lupe Rodriguez, Jr., under the low-number rule.

DISPOSITION

other

CASES CITED

- McGee v. Mansfield, No. 2:21-cv-2216-KJM-KJN-PS, 2022 WL 16639130, at *2 (E.D. Cal. Nov. 1, 2022)
- Chambers v. NASCO, Inc., 501 U.S. 32, 40-46 (1991)
- Fink v. Gomez, 239 F.3d 989, 992 (9th Cir. 2001)
- Am. Unites for Kids v. Rousseau, 985 F.3d 1075, 1090 (9th Cir. 2021)
- Evon v. Law Offices of Sidney Mickell, 688 F.3d 1015, 1035 (9th Cir. 2012)
- Humphries v. Button, No. 2:21-cv-01412-ART-EJY, 2025 WL 509254, at *4 (D. Nev. Feb. 14, 2025)
- Holmes v. Estock, No. 16-cv-2458-MMA-BLM, 2022 U.S. Dist. LEXIS 91621, at *5 (S.D. Cal. May 18, 2022)
- Int'l Union, United Mine Workers of Am. v. Bagwell, 512 U.S. 821, 829 (1994)
- Flores v. City of Bakersfield, No. 1:24-cv-00229-KES-CDB, 2025 WL 1768520, at *2 (E.D. Cal. May 30, 2025)
- Est. of Ingle v. Kern Cnty. Hosp. Auth., No. 1:25-cv-377-JLT-CDB, 2025 WL 1549020, at *2 (E.D. Cal. May 30, 2025)
- Harmon v. City of Santa Clara, 323 F.R.D. 617 (N.D. Cal. 2018)
- Boyd v. County of San Diego, No. 7-2023-00002923-CU-CR-CTL, 2024 Cal. Super. LEXIS 16919, at *1, *5 (Cal. Super. Ct. June 7, 2024)

- Shields v. Fed'n Internationale De Natation, No. 18-cv-07393-JSC, 2022 WL 298575, at *3 (N.D. Cal. Feb. 1, 2022)
- Williams v. County of San Diego, No. 17-cv-00815-MMA-JLB, 2021 WL 3619876, at *1 (S.D. Cal. Aug. 16, 2021)
- Citizens Dev. Corp. v. County of San Diego, No. 3:12-cv-334-GPC-KSC, 2019 WL 13166660, at *1 (S.D. Cal. Aug. 13, 2019)
- Century Sur. Co. v. 350 W.A., LLC, No. 05-cv-1548-L-LSP, 2008 WL 1787491, at *3 (S.D. Cal. Apr. 16, 2008)
- Strojnik v. 1315 Orange Ave LLC, No. 3:19-cv-1991-LAB-JLB, 2021 WL 4460767, at *7 (S.D. Cal. Sept. 29, 2021)
- Gallusz v. LPP Mortg., Inc., No. 25cv885-JLS-BLM, 2025 WL 1476555, at *4 (S.D. Cal. May 21, 2025)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Ghazali v. Moran, 46 F.3d 52, 54 (9th Cir. 1995)
- Radcliffe v. Rainbow Constr. Co., 254 F.3d 772, 789 (9th Cir. 2001)
- Barber v. Miller, 146 F.3d 707, 710-11 (9th Cir. 1998)
- Martinez v. Riser, No. CV-22-5146 PA-KSx, 2023 WL 6787439, at *11 (C.D. Cal. July 24, 2023)
- Holgate v. Baldwin, 425 F.3d 671, 678 (9th Cir. 2005)
- Taylor v. Starbucks Corp., No. 24cv1511-RBM-MMP, 2025 WL 97607, at *2 n.2 (S.D. Cal. Jan. 10, 2025)
- Dang v. Pontier, No. 19-cv-1519-GPC-AHG, 2020 WL 5993914, at *4-*5 (S.D. Cal. Oct. 9, 2020)
- Block v. Wash. State Bar Ass'n, 860 F. App'x 508, 510 (9th Cir. July 2, 2021)
- Ringgold-Lockhart v. County of Los Angeles, 761 F.3d 1057, 1062 (9th Cir. 2014)
- Warren v. Guelker, 29 F.3d 1386, 1388 (9th Cir. 1994)

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