

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

David M. Routt, Jr. v. Henrik Fisker

Routt v. Fisker · No. 2:25-cv-00627-FLA (KSx) · Decided March 27, 2025

SUMMARY

The United States District Court for the Central District of California ordered the parties to show cause why the action should not be consolidated with two related actions involving similar claims against similar defendants. The court cited Federal Rule of Civil Procedure 42(a) and directed written responses within fourteen days, limited to five pages.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Fernando L. Aenlle-Rocha
JURISDICTION	United States District Court for the Central District of California
DECIDED	March 27, 2025
DOCKET	2:25-cv-00627-FLA (KSx)
DISPOSITION	other
PROCEDURAL POSTURE	The district court sua sponte issued an order to show cause why this action should not be consolidated with two related actions pending in the same district.
STANDARD OF REVIEW	Consolidation under Federal Rule of Civil Procedure 42(a) is committed to the district court's broad discretion.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation or stated precedential designation.

TOPICS

- civil procedure
- joinder
- commercial litigation

PRACTICE AREAS

- civil procedure
- commercial litigation

QUESTIONS PRESENTED

1. Whether the action should potentially be consolidated with two related actions under Federal Rule of Civil Procedure 42(a).

HOLDINGS

1. A district court may consolidate actions involving a common question of law or fact and has broad discretion to do so, weighing judicial convenience against potential delay, confusion, and prejudice.

KEY QUOTATIONS

“To determine whether to consolidate, a court weighs the interest in judicial convenience against the potential for delay, confusion, and prejudice caused by consolidation.” (at 1)

FACTUAL BACKGROUND

The court identified three actions asserting the same claims against similar defendants: this action, *George Jenetopulos, et al. v. Henrik Fisker, et al.*, No. 2:24-cv-09760-FLA (KSx), and *Stuart Eggertsen v. Henrik Fisker*, No. 2:25-cv-00236-FLA (KSx). The court concluded that the apparent benefits of judicial economy and convenience might outweigh the potential for delay, confusion, and prejudice from consolidation.

PROCEDURAL HISTORY

The action was pending before the United States District Court for the Central District of California. Without making a final consolidation determination, the court ordered the parties to submit written responses within fourteen days explaining why the action should not be consolidated with the *Jenetopulos Action* and the *Eggertsen Action*.

DISPOSITION

other

CASES CITED

- *Jnvs. Rsch. Co. v. U.S. Dist. Ct. for Cent. Dist. of California*, 877 F.2d 777, 777 (9th Cir. 1989)
- *In re Adams Apple, Inc.*, 829 F.2d 1484, 1487 (9th Cir. 1987)
- *Paxonet Commc’ns, Inc. v. TranSwitch Corp.*, 303 F. Supp. 2d 1027, 1028 (N.D. Cal. 2003)

OPINION

David M. Routt, Jr. v. Henrik Fisker

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

10 11 DAVID M. ROUTT, JR., Case No. 2:25-cv-00627-FLA (KSx) 12 Plaintiff,

ORDER TO SHOW CAUSE WHY

13 v. ACTION SHOULD NOT BE
CONSOLIDATED WITH GEORGE

14

JENETOPULOS, ET AL., V. HENRIK

15 HENRIK FISKER, FISKER, ET AL., 2:24-CV-09760-FLA

(KSX) AND STUART EGGERTSEN V. 16 Defendant.

HENRIK FISKER, CASE NO. 2:25-

17 CV-00236-FLA (KSX)

18 19 20 21 22 23 24 25 26 27 28

1 ORDER TO SHOW CAUSE

2 Pursuant to Fed. R. Civ. P. 42(a), a court may consolidate actions involving “a 3 | common
question of law or fact” and has “broad discretion under this rule to 4 | consolidate cases pending
in the same district.” *Jnvs. Rsch. Co. v. U.S. Dist. Ct. for 5 | Cent. Dist. of California*, 877 F.2d
777, 777 (9th Cir. 1989); see also *In re Adams 6 | Apple, Inc.*, 829 F.2d 1484, 1487 (9th Cir. 1987)
(courts “may consolidate cases sua 7 | sponte”) (citation omitted). “To determine whether to
consolidate, a court weighs the 8 | interest in judicial convenience against the potential for delay,
confusion, and 9 | prejudice caused by consolidation.” *Paxonet Commc’ns, Inc. v. TranSwitch*
Corp., 10 | 303 F. Supp. 2d 1027, 1028 (N.D. Cal. 2003) (citation omitted). 11 Here, it appears the
benefits of judicial economy and convenience from 12 | consolidating this action with George
Jenetopulos, et al., v. Henrik Fisker, et al., Case 13 | No. 2:24-cv-09760-FLA (KSx) (“Jenetopulos
Action”) and Stuart Eggertsen v. Henrik 14 | Fisker, Case No. 2:25-cv-00236-FLA (KSx)
(“Eggersten Action”) outweighs any 15 | potential for delay, confusion, and prejudice, as each
action asserts the same claims 16 | against similar defendants. 17 Accordingly, the parties are
ORDERED TO SHOW CAUSE in writing only 18 | within fourteen (14) days of this Order why
this action should not be consolidated 19 | with the Jenetopulos Action and the Eggertsen Action.
Responses shall be limited to 20 | five (5) pages in length. Failure to respond may result in
consolidation of the actions 21 | without further notice. 22 23 IT IS SO ORDERED. 24 25 || Dated:
March 27, 2025

%6 FERNANDO L. AENLLE-ROCHA

United States District Judge 27 28