

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

- Invs. 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)