

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

George Jenetopulos v. Henrik Fisker

No. 2:24-cv-09760-FLA (KSx), United States District Court for the Central District of California (March 21, 2025)

SUMMARY

The United States District Court for the Central District of California ordered the parties to show cause why George Jenetopulos v. Henrik Fisker should not be consolidated with Stuart Eggertsen v. Henrik Fisker. The court concluded that the actions appeared to involve the same claims against similar defendants 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 21, 2025
DOCKET	2:24-cv-09760-FLA (KSx)
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause why this action should not be consolidated with a related action pending in the same district.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive or nonprecedential value only as permitted by applicable law.

TOPICS

civil procedure

PRACTICE AREAS

civil procedure

QUESTIONS PRESENTED

- Whether the action should be consolidated with Stuart Eggertsen v. Henrik Fisker under Federal Rule of Civil Procedure 42(a) because the actions involve common questions of law or fact.

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 and economy 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 2)

FACTUAL BACKGROUND

The action was pending in the Central District of California against Henrik Fisker and other defendants. A related action, Stuart Eggertsen v. Henrik Fisker, Case No. 2:25-cv-00236-FLA (KSx), was also pending in the district. The court found that the actions appeared to assert the same claims against similar defendants and that judicial economy and convenience appeared to outweigh potential delay, confusion, and prejudice from consolidation.

PROCEDURAL HISTORY

The court determined that the two actions appeared to assert the same claims against similar defendants. Before deciding whether to consolidate, it ordered the parties to submit written responses within fourteen days explaining why consolidation should not occur.

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

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 CENTRAL DISTRICT OF CALIFORNIA 10 11 GEORGE JENETOPULOS, et al., Case No. 2:24-cv-09760-FLA (KSx) 12 Plaintiffs, ORDER TO SHOW CAUSE WHY 13 v. ACTION SHOULD NOT BE CONSOLIDATED WITH STUART 14 EGGERTSEN V. HENRIK FISKE, 15 HENRIK FISKE, et al., CASE NO. 2:25-CV-00236-FLA (KSX) 16 Defendants. 17 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 Stuart Eggertsen v. Henrik Fisker, Case No. 2:25-cv- 13 | 00236-FLA (KSx) (“Eggertsen Action”) outweighs any potential for delay, confusion, 14 | and prejudice, as each action asserts the same claims against similar defendants. 15 Accordingly, the parties are ORDERED TO SHOW CAUSE in writing only 16 | within fourteen (14) days of this Order why this action should not be consolidated 17 | with the Eggertsen Action.

Responses shall be limited to five (5) pages in length. 18 | Failure to respond may result in consolidation of the actions without further notice. 19 20 IT IS SO ORDERED. 21 22 || Dated: March 21, 2025 3 FERNANDO L. AENLLE-ROCHA United States District Judge 24 25 26 27 28