

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Claudia Palos v. TD Bank, N.A.

No. 2:25-cv-07773-FMO-E, United States District Court for the Central District of California (December 5, 2025)

SUMMARY

The United States District Court for the Central District of California dismisses the action without prejudice after counsel advised the court that the parties had settled. The court retains jurisdiction and permits reopening within 45 days for good cause if the settlement is not consummated.

CASE DETAILS

COURT	United States District Court for the Central District of California
JURISDICTION	United States District Court for the Central District of California
DECIDED	December 5, 2025
DOCKET	2:25-cv-07773-FMO-E
DISPOSITION	dismissed
PROCEDURAL POSTURE	The action was dismissed after counsel advised the court that the parties had settled.
PRECEDENTIAL VALUE	unpublished
PARTIES	Claudia Palos v. TD Bank, N.A.

TOPICS

civil procedure

PRACTICE AREAS

civil procedure

QUESTIONS PRESENTED

- Whether the action should be dismissed without prejudice after counsel advised the court that the parties had settled.
- Whether the court should retain jurisdiction and permit reopening if the settlement was not consummated.

HOLDINGS

- 1. The court dismissed the action without costs and without prejudice based on counsel's advice that the action had been settled.
- 2. The court retained full jurisdiction and allowed the action to be reopened for good cause shown within 45 days if the settlement was not consummated.

KEY QUOTATIONS

- “IT IS ORDERED that the above-captioned action is hereby dismissed without costs and without prejudice to the right, upon good cause shown within 45 days, to re-open the action if settlement is not consummated.” (at 1)
- “The court retains full jurisdiction over this action and this Order shall not prejudice any party to this action.” (at 1)

FACTUAL BACKGROUND

Counsel advised the district court that the parties had settled the action. Based on that representation, the court dismissed the action without prejudice and without costs, subject to reopening for good cause within 45 days if the settlement was not consummated.

PROCEDURAL HISTORY

Claudia Palos brought the action against TD Bank, N.A. in the Central District of California. After counsel advised the court that the action had settled, the court dismissed the case without prejudice and without costs, while retaining jurisdiction for a limited period to permit reopening if the settlement was not consummated.

DISPOSITION

dismissed

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S. Ct. 1386, 1388 (1962)

OPINION

Claudia Palos v. TD Bank, N.A.
PER CURIAM.

3 4 5 6 7

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

8 9 CLAUDIA PALOS CASE NO: 2:25-cv-07773-FMO-E

10 Plaintiff(s), 11 v.

ORDER DISMISSING ACTION

12 TD BANK, N.A. WITHOUT PREJUDICE

13 14 Defendant(s). 15 16 17 Having been advised by counsel that the above-entitled action has
been settled, 18 IT IS ORDERED that the above-captioned action is hereby dismissed without
costs 19 and without prejudice to the right, upon good cause shown within 45 days, to re-open the
20 action if settlement is not consummated. The court retains full jurisdiction 21 over this action
and this Order shall not prejudice any party to this action. Failure 22 to re-open or seek an
extension of time to re-open the action by the deadline 23 set forth above shall be deemed as
consent by the parties to dismissal of the 24 action without prejudice. See Fed. R. Civ. P. 41(b);
Link v. Wabash R.R. Co., 25 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962). 26 27