

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Firsov v. Austrian Airlines AG

Firsov · No. 25-cv-03504-PCP · Decided August 14, 2025

SUMMARY

The United States District Court for the Northern District of California orders plaintiff Sergey Firsov to show cause why his action against Austrian Airlines AG should not be dismissed for lack of subject matter jurisdiction. The court notes that Firsov paid the filing fee but did not address the jurisdictional concerns identified in a prior report and recommendation, and sets a September 12, 2025 deadline for his response.

OPINION

Firsov v. Austrian Airlines AG

PER CURIAM.

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4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 SERGEY FIRSOV, Case No. 25-cv-03504-PCP 8 Plaintiff,

ORDER TO SHOW CAUSE

v. 9

10 AUSTRIAN AIRLINES AG,

Defendant. 11 12 13 Plaintiff Sergey Firsov, proceeding without counsel, commenced the instant action against 14 defendant Austrian Airlines AG. Before the Court is the July 21, 2025 report and recommendation 15 to dismiss this case based on (1) Firsov’s failure to pay filing fees; and (2) the Court’s lack of 16 subject matter jurisdiction over Firsov’s action. Firsov has since paid the required filing fee. 17 Although Firsov has remedied one of the issues addressed in the report and 18 recommendation, he has not responded to the report’s concerns regarding the Court’s jurisdiction. 19 The Court therefore orders Firsov to show cause by September 12, 2025 why this action should 20 not be dismissed for lack of subject matter jurisdiction. See *Henderson v. Shinseki*, 562 U.S. 428, 21 434 (2011) (“[F]ederal courts have an independent obligation to ensure that they do not exceed the 22 scope of their jurisdiction, and therefore they must raise and decide jurisdictional questions that 23 the parties either overlook or elect not to press.”); see also *Mashiri v. Dep’t of Educ.*, 724 F.3d 24 1028, 1031 (9th Cir. 2013) (“[F]ederal courts have a continuing, independent obligation to 25 determine whether subject matter jurisdiction exists.”). 26 IT IS SO

ORDERED. 27 Dated: August 14, 2025 P. Casey Pitts 2 United States District Judge 3 4 5 6 7 8 9
10 11 12 © 15 16 17 Z 18 19 20 21 22 23 24 25 26 27 28

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