

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Debra Rothenberg v. Penske Media Corporation

Rothenberg v. Penske Media Corp. · No. CV 25-4508 FMO (JCx) · Decided September 12, 2025

SUMMARY

The United States District Court for the Central District of California dismissed the action without prejudice after counsel reported that the case had settled. The court retained jurisdiction and permitted reopening within 45 days for good cause if the settlement was not consummated.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Fernando M. Olguin
JURISDICTION	United States District Court for the Central District of California
DECIDED	September 12, 2025
DOCKET	CV 25-4508 FMO (JCx)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Following notice that the action had settled, the district court dismissed the action without prejudice.
PRECEDENTIAL VALUE	Unknown

TOPICS

civil procedure commercial litigation

PRACTICE AREAS

civil procedure commercial litigation

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 action should be dismissed without prejudice and without costs after counsel advised the court that it had been settled.
- 2. The court retained full jurisdiction and permitted the action to be reopened for good cause shown within 45 days if the settlement was not consummated; failure to reopen or seek an extension by that deadline would constitute consent to dismissal without prejudice.

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 by no later than 45 days, to re-open the action if settlement is not consummated.” (17-23)

FACTUAL BACKGROUND

Counsel advised the district court that the action had been settled. The court dismissed the action without prejudice and without costs, while retaining jurisdiction and allowing the parties to seek reopening within 45 days if the settlement was not consummated.

PROCEDURAL HISTORY

Plaintiff brought an action against Penske Media Corporation. After counsel advised the court that the action had settled, the court dismissed the action without prejudice, retained jurisdiction, and allowed either party to move to reopen within 45 days 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

Debra Rothenberg v. Penske Media Corporation

PER CURIAM.

1 2 3 JS-6 4 5 6

7 UNITED STATES DISTRICT COURT

8 CENTRAL DISTRICT OF CALIFORNIA

9 10 DEBRA ROTHENBERG,) Case No. CV 25-4508 FMO (JCx)) 11 Plaintiff,))

12 v.) ORDER DISMISSING ACTION WITHOUT

) PREJUDICE

13 PENSKE MEDIA CORPORATION,)

) 14 Defendant.)) 15) 16 Having been advised by counsel that the above-entitled action has been

settled, (Dkt. 22, 17 Notice of Settlement), IT IS ORDERED that the above-captioned action is hereby dismissed 18 without costs and without prejudice to the right, upon good cause shown by no later than 45 days, 19 to re-open the action if settlement is not consummated. The court retains full jurisdiction over this 20 action and this Order shall not prejudice any party to this action. Failure to re-open or seek an 21 extension of time to re-open the action by the deadline set forth above shall be deemed as 22 consent by the parties to dismissal of the action without prejudice. See Fed. R. Civ. P. 41(b); Link 23 v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962). 24 Dated this 12th day of 2025. 25 /s/ Fernando M. Olguin 26 United States District Judge 27 28