

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Arturo Garcia v. Ford Motor Company et al.

Garcia v. Ford Motor Co. · No. CV 23-0328 FMO (PDx) · Decided March 10, 2023

SUMMARY

The United States District Court for the Central District of California dismissed the action without prejudice after counsel reported that the parties had settled. The court retained jurisdiction and allowed the parties until May 9, 2023, to reopen the case 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	March 10, 2023
DOCKET	CV 23-0328 FMO (PDx)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The plaintiff's federal action was dismissed without prejudice after counsel advised the court that the action had settled.
PRECEDENTIAL VALUE	nonprecedential district court order

TOPICS

civil procedure

PRACTICE AREAS

civil procedure settlement

QUESTIONS PRESENTED

- Whether the action should be dismissed without prejudice following the parties' reported settlement.

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 May 9, 2023, to re-open the action if settlement is not consummated.” (1)

FACTUAL BACKGROUND

Counsel advised the court that the parties had settled the action. The court dismissed the case without prejudice and retained jurisdiction to permit reopening if the settlement was not consummated.

PROCEDURAL HISTORY

The action was pending in the Central District of California following removal. After counsel filed a notice of settlement, the court dismissed the action without costs and without prejudice, while allowing either party to move to reopen upon good cause if the settlement was not consummated by May 9, 2023.

DISPOSITION

dismissed

CASES CITED

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

OPINION

Arturo Garcia v. Ford Motor Company

PER CURIAM.

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4 5 6

7 UNITED STATES DISTRICT COURT

8 CENTRAL DISTRICT OF CALIFORNIA

9 10 ARTURO GARCIA,) Case No. CV 23-0328 FMO (PDx)) 11 Plaintiff,))

12 v.) ORDER DISMISSING ACTION WITHOUT

) PREJUDICE

13 FORD MOTOR COMPANY et al,)) 14 Defendant.)) 15) 16 Having been advised by counsel
that the above-entitled action has been settled, (Dkt. 15, 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 May 9, 19 2023, to re-open the
action if settlement is not consummated. The court retains full jurisdiction 20 over this action and
this Order shall not prejudice any party to this action. Failure to re-open or 21 seek an extension of
time to re-open the action by the deadline set forth above shall be deemed 22 as consent by the
parties to dismissal of the action without prejudice. See Fed. R. Civ. P. 41(b); 23 Link v. Wabash

R.R. Co., 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962). 24 Dated this 10th day of March, 2023. 25 /s/ Fernando M. Olguin 26 United States District Judge 27 28

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