

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Laurence J. Graham, et al. v. Dupont de Nemours, Inc., et al.

Graham v. DuPont · No. 2:25-cv-06135-FLA (SKx) · Decided January 6, 2026

SUMMARY

The United States District Court for the Central District of California dismissed the action without leave to amend as duplicative of prior litigation, dismissing claims against Titanium Metals Corporation with prejudice. The court denied as moot the defendants’ motions to dismiss and the plaintiffs’ motions for extension and remand, denied the plaintiffs’ ex parte applications, and granted defendants’ motion for sanctions. The court ordered defendants to submit a request for attorney’s fees and costs and ordered the plaintiffs to show cause why they should not be declared vexatious litigants.

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	January 6, 2026
DOCKET	2:25-cv-06135-FLA (SKx)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiffs filed suit in Los Angeles County Superior Court; defendants removed the action to the Central District of California. The court considered multiple motions to dismiss, a motion to remand, ex parte remand and sanctions applications, and defendants' sanctions motion.
STANDARD OF REVIEW	Abuse of discretion for dismissal of duplicative litigation and sanctions-related discretionary determinations; the court applied the legal standards governing ex parte relief, Rule 11 sanctions, and 28 U.S.C. § 1927.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential

TOPICS

- civil procedure
- motions to dismiss
- sanctions
- commercial litigation
- minerals

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court could dismiss the later-filed action as duplicative of substantially similar litigation pending or previously filed in other federal courts.
2. Whether plaintiffs' claims against Titanium Metals Corporation should be dismissed with prejudice based on a prior judgment in its favor.
3. Whether plaintiffs' ex parte applications for remand and sanctions should be denied for failure to establish the requirements for ex parte relief.
4. Whether defendants were entitled to sanctions under the court's inherent authority and 28 U.S.C. § 1927 based on plaintiffs' repeated duplicative filings and abuse of the ex parte process.
5. Whether plaintiffs should be ordered to show cause why they should not be declared vexatious litigants.

HOLDINGS

1. A federal district court may exercise its discretion to dismiss a later-filed action when it substantially duplicates prior litigation involving similar claims, parties, facts, and requested relief. Because this action asserted the same claims against largely the same defendants and added no new claims or cognizable facts, dismissal without leave to amend was warranted.
2. Plaintiffs' claims against Titanium Metals Corporation were dismissed with prejudice because those claims had already been resolved in Titanium Metals Corporation's favor in the First Northern District Action.
3. Ex parte relief requires evidence of irreparable prejudice if the matter is heard through ordinary noticed procedures and a showing that the moving party was without fault in creating the crisis or that the crisis resulted from excusable neglect. Plaintiffs' alleged stress, aggravation, expense, delay, and age-related concerns did not satisfy that standard.
4. Sanctions were appropriate under the court's inherent authority and 28 U.S.C. § 1927 because plaintiffs acted with subjective bad faith by repeatedly filing unjustified ex parte applications and duplicative, meritless complaints, thereby unnecessarily multiplying proceedings and increasing defendants' costs.

KEY QUOTATIONS

“For the reasons stated herein, the court DISMISSES this action without leave to amend, as this action is duplicative of previous litigation in other federal courts.” (3)

“Accordingly, the court exercises its discretion and DISMISSES this action as duplicative of the First Central District and First Northern District Actions without leave to amend.” (4)

“The court finds sanctions against Plaintiffs are appropriate at this time.” (10)

FACTUAL BACKGROUND

Plaintiffs Laurence J. Graham and Betty Patrick Graham asserted claims concerning alleged price-fixing and royalties under ten Virginia mining leases entered into in the late 1980s and early 1990s. They sought rescission, relief under California Civil Code § 1692, and more than \$22 billion in damages. The same or substantially similar claims were filed in at least five actions involving largely the same defendants, including prior federal actions that had been dismissed. The court found that the present action added no new claims or cognizable facts and that plaintiffs had repeatedly filed meritless ex parte applications and duplicative complaints.

PROCEDURAL HISTORY

Plaintiffs filed the complaint in state court on June 2, 2025, and defendants removed it on July 7, 2025. Plaintiffs had previously filed substantially identical actions in the Northern District of California, the Central District of California, and Los Angeles County Superior Court, and later filed another action in Alameda County that was removed to the Northern District. The court dismissed the present action as duplicative, dismissed claims against Titanium Metals Corporation with prejudice based on a prior judgment, denied the remaining motions and applications, granted defendants' sanctions motion, and ordered plaintiffs to show cause why they should not be declared vexatious litigants.

DISPOSITION

dismissed

CASES CITED

- Slack v. McDaniel, 529 U.S. 473, 478 (2000)
- Pacesetter Sys., Inc. v. Medtronic, Inc., 678 F.2d 93, 95 (9th Cir. 1982)
- Nakash v. Marciano, 882 F.2d 1411, 1416 (9th Cir. 1989)
- Adams v. Cal. Dep't of Health Servs., 487 F.3d 684, 688 (9th Cir. 2007)
- Alltrade, Inc. v. Uniweld Prods., Inc., 946 F.2d 622, 624 (9th Cir. 1991)
- Kehano v. Hawaii, 202 F. App'x 208, 209 (9th Cir. 2006)
- Hebbe v. Pliler, 627 F.3d 338, 342 (9th Cir. 2010)
- Lopez v. Smith, 203 F.3d 1122, 1130 (9th Cir. 2000)
- Sylvia Landfield Tr. v. City of Los Angeles, 729 F.3d 1189, 1196 (9th Cir. 2013)
- Foman v. Davis, 371 U.S. 178, 182 (1962)
- Mission Power Eng'g Co. v. Cont'l Cas. Co., 883 F. Supp. 488, 490-92 (C.D. Cal. 1995)
- Pac. Harbor Cap., Inc. v. Carnival Air Lines, Inc., 210 F.3d 1112, 1117 (9th Cir. 2000)
- Wages v. I.R.S., 915 F.2d 1230, 1235-36 (9th Cir. 1990)
- New Alaska Dev. Corp. v. Guetschow, 869 F.2d 1298, 1306 (9th Cir. 1989)
- Cooter & Gell v. Hartmarx Corp., 496 U.S. 384, 393 (1990)
- Est. of Blue v. Cnty. of Los Angeles, 120 F.3d 982, 985 (9th Cir. 1997)
- Golden Eagle Distrib. Corp. v. Burroughs Corp., 801 F.2d 1531, 1536 (9th Cir. 1986)
- Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1177 (9th Cir. 1996)

- Hudson v. Moore Bus. Forms, Inc., 836 F.2d 1156, 1163 (9th Cir. 1987)
- Williams v. Laimana, Case No. 8:20-cv-01110-DOC (ADS), 2020 WL 8262400, at *2 (C.D. Cal. Dec. 22, 2020)
- Van Gerwen v. Guarantee Mut. Life Co., 214 F.3d 1041, 1045 (9th Cir. 2000)

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