

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Najib A Hodge v. NAPA Genuine Auto Parts, et al.

No. CV-25-02242-PHX-JAT (D. Ariz. Jan. 22, 2026) · No. No. CV-25-02242-PHX-JAT · Decided January 23, 2026

SUMMARY

The United States District Court for the District of Arizona denied without prejudice Plaintiff Najib A. Hodge’s motion for default judgment against NAPA Genuine Auto Parts. The court held that the motion failed to address the Eitel factors and did not explain why default judgment was appropriate while DoorDash, a non-defaulted defendant, was defending related claims. The court also noted potential problems under Federal Rule of Civil Procedure 54(b) and stated that DoorDash could oppose a renewed motion if its litigation position might be adversely affected.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	James A. Teilborg
JURISDICTION	United States District Court for the District of Arizona
DECIDED	January 23, 2026
DOCKET	No. CV-25-02242-PHX-JAT
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for default judgment against NAPA Genuine Auto Parts after default was entered against NAPA. DoorDash, Inc., the other defendant, was actively defending the case and had moved to compel arbitration and stay the action. The court denied the default-judgment motion without prejudice.
STANDARD OF REVIEW	The court applied the Eitel factors governing entry of default judgment and considered whether default judgment was improper while a codefendant was defending the same claims and whether partial judgment could be entered under Rule 54(b).
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown

TOPICS

- default judgment
- default
- civil procedure
- arbitration

PRACTICE AREAS

civil procedure

contracts

remedies

QUESTIONS PRESENTED

1. Whether default judgment should be entered against NAPA when Plaintiff failed to address the Eitel factors.
2. Whether default judgment should be entered against one defendant while another defendant is defending the same claims.
3. Whether the court could enter a partial judgment against NAPA under Federal Rule of Civil Procedure 54(b) without a showing that there was no just reason for delay.

HOLDINGS

1. A motion for default judgment must address the Eitel factors, and Plaintiff's failure to do so warranted denial of the motion without prejudice.
2. The court should not enter default judgment against one defendant when another defendant is defending the same claims, absent an adequate explanation why that prohibition does not apply.
3. The court could not enter partial judgment unless it certified that there was no just reason for delay, and Plaintiff failed to explain why such certification and partial judgment were appropriate.

KEY QUOTATIONS

"First, this Court should not enter default if another defendant is defending the same claims." (at 1)

"Next, this Court cannot enter a partial judgment (a judgment that addresses less than all claims against all defendants) unless the Court certifies there is "no just reason for delay."" (at 1-2)

"Thus, IT IS ORDERED that the motion for entry of default judgment (Doc. 28) is denied without prejudice." (at 2)

FACTUAL BACKGROUND

NAPA Genuine Auto Parts and DoorDash, Inc. were defendants in the action. Default was entered against NAPA after it failed to answer or otherwise defend, while DoorDash continued defending and moved to compel arbitration and stay the case. Plaintiff sought default judgment against NAPA for \$16,383,350.00.

PROCEDURAL HISTORY

Default was entered against NAPA for failing to answer or otherwise defend. Plaintiff then moved for default judgment seeking \$16,383,350 in damages. While DoorDash's motion to compel arbitration and stay the case was pending, the court denied the motion for default judgment because Plaintiff did not address the Eitel factors, the effect of a defending codefendant, or the requirements for partial judgment under Federal Rule of Civil Procedure 54(b).

DISPOSITION

other

CASES CITED

- Eitel v. McCool, 782 F.2d 1470, 1471-72 (9th Cir. 1986)
- In re First T.D. & Inv., Inc., 253 F.3d 520, 532-33 (9th Cir. 2001)
- Gomez v. EOS CCA, CV 18-2740-PHX-JAT (D. Ariz. Aug. 12, 2020)

OPINION

1 WO 2 3 4 5 6 IN THE UNITED STATES DISTRICT COURT 7 FOR THE DISTRICT OF ARIZONA 8 9 Najib A Hodge, No. CV-25-02242-PHX-JAT 10 Plaintiff, ORDER 11 v. 12 NAPA Genuine Auto Parts, et al., 13 Defendants. 14 15 There are two Defendants in this case: NAPA Genuine Auto Parts (“NAPA”) and 16 DoorDash, Inc. Default has been entered against NAPA for failing to answer or otherwise 17 defend.

(Doc. 26). On January 22, 2026, DoorDash, Inc. moved to compel arbitration and 18 stay this case. (Doc. 29). 19 Following the entry of default against NAPA, Plaintiff moved for entry of default 20 judgment. (Doc. 28). Plaintiff seeks damages in the amount of \$16,383,350.00. (Id.)

For 21 this Court to enter default judgment, it must weigh the factors in Eitel v. McCool, 782 F.2d 22 1470, 1471-72 (9th Cir. 1986). Plaintiff’s motion fails to address the Eitel factors. 23 Additionally, even if the Eitel factors favor the entry of default, this case is 24 complicated by the fact that there is another, non-defaulted Defendant who is defending.

25 First, this Court should not enter default if another defendant is defending the same claims. 26 In re First T.D. & Inv., Inc., 253 F.3d 520, 532-33 (9th Cir. 2001). Plaintiff does not 27 address why this prohibition on mid-case default does not apply in this case. 28 Next, this Court cannot enter a partial judgment (a judgment that addresses less than 1 || all claims against all defendants) unless the Court certifies there is “no just reason for 2|| delay.” See Fed.

R. Civ. P. 54(b). Generally, the Ninth Circuit Court of Appeals has held || that a district court should not certify there is no just reason for delay under Rule 54(b) and 4|| enter a partial judgment when the whole case arises from the same set of facts. See Gomez v. EOS CCA, CV 18-2740-PHX-JAT (D. Ariz. Aug. 12, 2020) (discussing at length when || Rule 54(b) certification is justified).

Plaintiff does not address why the entry of a partial 7 || judgment in this case is appropriate. 8 As a result, Plaintiffs motion for entry of default judgment against NAPA will be 9|| denied, without prejudice to refiling the motion and addressing all of the foregoing.

The 10}} Court will not put any deadline on refiling because Plaintiff may determine that the 11 || foregoing cases require him to wait until the claims against DoorDash, Inc. are resolved before

moving for default judgment against NAPA. If Plaintiff decides to refile his motion 13 || before the claims against DoorDash, Inc. are resolved, DoorDash, Inc. may respond to/oppose the entry of default judgment if DoorDash, Inc. wishes to argue that its litigation 15 || position would be adversely impacted by the entry of default judgment against NAPA.

16 Thus, 17 IT IS ORDERED that the motion for entry of default judgment (Doc. 28) is denied without prejudice.! 19 Dated this 22nd day of January, 2026. 20 21 22 73 James A. Teilborg Senior United States District Judge 24 23/1 | In future flings, both attics must acknowledge that this is not a single Defendant case. Specifically, while the Court will not take up the substance of DoorDash's pending motion 26) in this Order, the Court notes that DoorDash seeks the relief of "an order compelling Plaintiff Najib Hodge [] to submit his claims in the above-captioned matter to mandatory 27!) and binding arbitration, and staying this action pending arbitration." (Doc.

29 at 1) (emphasis added). Upon the Court's quick review of DoorDash's motion, DoorDash seems to fail to acknowledge there is another Defendant in this case and how that Defendant's presence impacts the appropriate remedies. -2-