

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PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown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)

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