

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Arsen Garabekyan v. Nissan North America, Inc.

Garabekyan v. Nissan North America · No. CV 24-7687 FMO (JPRx) · Decided April 8, 2025

SUMMARY

The United States District Court for the Central District of California issued an order to show cause regarding the parties’ failure to file either a notice of settlement or a settlement status report after the required settlement conference. The court ordered the parties to explain by April 15, 2025 why sanctions should not be imposed and warned that failure to respond could result in sanctions or dismissal for lack of prosecution.

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	April 8, 2025
DOCKET	CV 24-7687 FMO (JPRx)
DISPOSITION	other
PROCEDURAL POSTURE	The court issued an order to show cause why sanctions or dismissal should not be imposed after the parties failed to file the settlement-related submission required by a prior court order.
PRECEDENTIAL VALUE	Unknown; district court order to show cause

TOPICS

sanctions civil procedure

PRACTICE AREAS

civil procedure sanctions dismissal for failure to prosecute

QUESTIONS PRESENTED

- Whether the parties should be required to show cause why sanctions should not be imposed for failing to comply with the court’s settlement-conference and filing order.

2. Whether failure to respond to the order to show cause could warrant sanctions or dismissal for lack of prosecution under Federal Rule of Civil Procedure 41(b).

HOLDINGS

1. The parties were ordered to show cause in writing by April 15, 2025, why sanctions should not be imposed for failing to comply with the court's prior order.

KEY QUOTATIONS

“Accordingly, IT IS ORDERED THAT, no later than April 15, 2025, the parties shall show cause in writing why sanctions should not be imposed for failure to comply with the Court’s Order of April 4, 2025.”

“Failure to submit a response to this Order by the deadline set forth above may result in the imposition of sanctions and/or dismissal of this action for lack of prosecution.”

FACTUAL BACKGROUND

The court previously ordered the parties to complete a settlement conference before a private mediator no later than April 4, 2025. The parties were also ordered to file either a notice of settlement or a settlement status report within specified deadlines. Neither document had been filed when the court issued this order.

PROCEDURAL HISTORY

The court had ordered the parties to complete a settlement conference with a private mediator by April 4, 2025. If the case settled, they were required to file a notice of settlement within 24 hours; otherwise, they were required to file a settlement status report within 48 hours after the conference. Neither filing had been made as of the date of the order, prompting the order to show cause.

DISPOSITION

other

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S. Ct. 1386, 1388 (1962)
- Pagtalunan v. Galaza, 291 F.3d 639, 642 (9th Cir. 2002), cert. denied, 538 U.S. 909 (2003)

OPINION

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES - GENERAL Case No. CV 24-7687 FMO (JPRx) Date April 8, 2025 Title Arsen Garabekyan v. Nissan America, Inc., et al. Present: The Honorable Fernando M. Olguin, United States District Judge Vanessa Figueroa None Present Deputy Clerk Court Reporter / Recorder Attorneys Present for Plaintiffs: Attorneys Present for Defendants: None Present None Present Proceedings: (In Chambers) Order to Show Cause Re: Sanctions or Dismissal Pursuant to the

Court's Order of October 4, 2024, the parties were required to complete a settlement conference before a private mediator no later than April 4, 2025.

(See Dkt. 12, Court's Order of October 4, 2024, at 17). If the case settled, the parties were required to file a Notice of Settlement no later than 24 hours after settlement. (See *id.*). Otherwise, the parties were required to file a Status Report Re: Settlement no later than 48 hours after the settlement conference was complete. (See *id.*).

As of the filing date of this Order, neither a Notice of Settlement nor a Status Report Re: Settlement has been filed. (See, generally, Dkt.). Accordingly, IT IS ORDERED THAT, no later than April 15, 2025, the parties shall show cause in writing why sanctions should not be imposed for failure to comply with the Court's Order of April 4, 2025. Failure to submit a response to this Order by the deadline set forth above may result in the imposition of sanctions and/or dismissal of this action for lack of prosecution.

See Fed. R. Civ. P. 41(b); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962); *Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002), cert. denied, 538 U.S. 909 (2003).
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