

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Stuart Eggertsen v. Henrik Fisker

No. 2:25-cv-00236-FLA (KSx), United States District Court for the Central District of California (March 21, 2025)

SUMMARY

The United States District Court for the Central District of California ordered the parties to show cause why Stuart Eggertsen’s action against Henrik Fisker should not be consolidated with the related Jenetopulos action. The court identified overlapping claims and defendants and required written responses within fourteen days, limited to five pages.

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	March 21, 2025
DOCKET	2:25-cv-00236-FLA (KSx)
DISPOSITION	other
PROCEDURAL POSTURE	The district court issued an order to show cause why the action should not be consolidated with George Jenetopulos, et al. v. Henrik Fisker, et al., Case No. 2:24-cv-09760-FLA (KSx).
STANDARD OF REVIEW	A district court has broad discretion under Federal Rule of Civil Procedure 42(a) to consolidate actions involving a common question of law or fact, weighing judicial convenience against potential delay, confusion, and prejudice.
PRECEDENTIAL VALUE	unknown

TOPICS

- civil procedure
- joinder
- commercial litigation

PRACTICE AREAS

- civil procedure
- commercial litigation

QUESTIONS PRESENTED

1. Whether the action should be consolidated with the Jenetopulos Action under Federal Rule of Civil Procedure 42(a).

HOLDINGS

1. Actions involving a common question of law or fact may be consolidated, and the district court has broad discretion to consolidate cases pending in the same district.
2. The apparent benefits of judicial economy and convenience appeared to outweigh the potential for delay, confusion, and prejudice because the actions asserted the same claims against similar defendants; the court therefore ordered the parties to show cause why consolidation should not occur.

KEY QUOTATIONS

- “broad discretion under this rule to consolidate cases pending in the same district.”* (at 1)

“To determine whether to consolidate, a court weighs the interest in judicial convenience against the potential for delay, confusion, and prejudice caused by consolidation.” (at 1)

FACTUAL BACKGROUND

The court stated that this action and the Jenetopulos Action asserted the same claims against similar defendants. Based on that apparent overlap, the court concluded that judicial economy and convenience appeared to outweigh the potential for delay, confusion, and prejudice from consolidation.

PROCEDURAL HISTORY

The action was pending in the Central District of California. The court sua sponte ordered the parties to explain in writing why the case should not be consolidated with the Jenetopulos Action, based on the apparent overlap in claims and defendants.

DISPOSITION

other

CASES CITED

- Jnvs. Rsch. Co. v. U.S. Dist. Ct. for Cent. Dist. of California, 877 F.2d 777, 777 (9th Cir. 1989)
- In re Adams Apple, Inc., 829 F.2d 1484, 1487 (9th Cir. 1987)
- Paxonet Commc’ns, Inc. v. TranSwitch Corp., 303 F. Supp. 2d 1027, 1028 (N.D. Cal. 2003)

OPINION

Stuart Eggertsen v. Henrik Fisker

PER CURIAM.

8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

10 11 STUART EGGERTSEN, Case No. 2:25-cv-00236-FLA (KSx) 12 Plaintiff,

ORDER TO SHOW CAUSE WHY

13 v. ACTION SHOULD NOT BE

CONSOLIDATED WITH GEORGE

14

JENETOPULOS, ET AL., V. HENRIK

15 HENRIK FISHER, FISHER, ET AL., 2:24-CV-09760-FLA

(KSX)

16 Defendant. 17

18 19 20 21 22 23 24 25 26 27 28

1 ORDER TO SHOW CAUSE

2 Pursuant to Fed. R. Civ. P. 42(a), a court may consolidate actions involving “a 3 | common
question of law or fact” and has “broad discretion under this rule to 4 | consolidate cases pending
in the same district.” *Jnvs. Rsch. Co. v. U.S. Dist. Ct. for 5 | Cent. Dist. of California*, 877 F.2d
777, 777 (9th Cir. 1989); see also *In re Adams 6 | Apple, Inc.*, 829 F.2d 1484, 1487 (9th Cir. 1987)
(courts “may consolidate cases sua 7 | sponte”) (citation omitted). “To determine whether to
consolidate, a court weighs the 8 | interest in judicial convenience against the potential for delay,
confusion, and 9 | prejudice caused by consolidation.” *Paxonet Commc’ns, Inc. v. TranSwitch*
Corp., 10 | 303 F. Supp. 2d 1027, 1028 (N.D. Cal. 2003) (citation omitted). 11 Here, it appears the
benefits of judicial economy and convenience from 12 | consolidating this action with George
Jenetopulos, et al., v. Henrik Fisker, et al., Case 13 | No. 2:24-cv-09760-FLA (KSx) (“Jenetopulos
Action”) outweighs any potential for 14 | delay, confusion, and prejudice, as each action asserts the
same claims against similar 15 | defendants. 16 Accordingly, the parties are ORDERED TO
SHOW CAUSE in writing only 17 | within fourteen (14) days of this Order why this action should
not be consolidated 18 || with the Jenetopulos Action. Responses shall be limited to five (5) pages
in length. 19 | Failure to respond may result in consolidation of the actions without further notice.
20 21 IT IS SO ORDERED. 22 23 | Dated: March 21, 2025

04 FERNANDO L. AENLLE-ROCHA

United States District Judge 25 26 27 28