

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

MNE Trucking, Inc. v. OJ Commerce, LLC

No. 2:23-cv-05742-HDV-AJR (C.D. Cal. June 27, 2025) · No. 2:23-cv-05742-HDV-AJR · Decided June 27,
2025

SUMMARY

The United States District Court for the Central District of California imposed a coercive sanction on MNE Trucking, Inc. for failing to meet a court-ordered deadline to produce responsive invoices in its dispute with OJ Commerce, LLC. The court determined that production was not completed until at least May 2, 2025, four days after the deadline, and ordered MNE Trucking to pay \$2,000 to the Clerk of Court. The court reserved questions about alleged deficiencies in the production for a separately filed sanctions motion.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	A. Joel Richlin
JURISDICTION	United States District Court for the Central District of California
DECIDED	June 27, 2025
DOCKET	2:23-cv-05742-HDV-AJR
DISPOSITION	other
PROCEDURAL POSTURE	The court considered an order to show cause and Plaintiff's opposition concerning coercive sanctions for failure to comply with a court-ordered production deadline in discovery.
STANDARD OF REVIEW	The court exercised its discretion under Federal Rule of Civil Procedure 37(b)(2) to impose the least coercive sanction reasonably calculated to secure compliance, considering the magnitude of threatened harm and the probable effectiveness of the sanction.
PRECEDENTIAL VALUE	unpublished district-court memorandum decision and order; precedential status unknown

TOPICS

- sanctions
- discovery dispute
- contempt
- civil procedure
- commercial litigation

PRACTICE AREAS

Civil procedure

Discovery

Civil contempt

Commercial litigation

QUESTIONS PRESENTED

1. Whether the court could impose coercive sanctions under Federal Rule of Civil Procedure 37(b)(2) for Plaintiff's failure to comply with the April 28, 2025 discovery-production deadline.
2. Whether a \$500-per-day sanction, terminating when production was completed on May 2, was reasonably calculated to coerce compliance.
3. Whether the court should impose additional sanctions for alleged substantive deficiencies in the invoice production.

HOLDINGS

1. A court may impose coercive civil-contempt sanctions under Federal Rule of Civil Procedure 37(b)(2) when a party fails to obey a discovery order, provided the party receives notice and an opportunity to be heard.
2. A coercive sanction of \$500 per day was justified by the harm threatened by continued noncompliance and the sanction's probable effectiveness, and the sanction properly accumulated through May 2, 2025, when Plaintiff acknowledged completing production.
3. The court declined at that time to impose additional sanctions for alleged substantive deficiencies in the invoice production and reserved that issue for Defendant's separate motion for sanctions.

KEY QUOTATIONS

“civil contempt sanctions, or those penalties designed to compel future compliance with a court order, are considered to be coercive and avoidable through obedience, and thus may be imposed in an ordinary civil proceeding upon notice and an opportunity to be heard.”

“A court, in determining the amount and duration of a coercive fine, must consider the character and magnitude of the harm threatened by continued contumacy, and the probable effectiveness of any suggested sanction in bringing about the result desired.”

“district court should apply the least coercive sanction (e.g., a monetary penalty) reasonably calculated to win compliance with its orders.”

FACTUAL BACKGROUND

MNE Trucking and OJ Commerce disputed payment for trucking services and the pricing of those services. OJ Commerce's counterclaims focused on alleged misrepresentations concerning rates and overcharges, making MNE Trucking's invoices to other customers relevant and proportional to the case. After months of discovery conferences and repeated efforts to facilitate production, the court ordered MNE Trucking to produce responsive invoices by April 28, 2025. MNE Trucking produced the first tranche on April 29 and asserted that the balance was complete by May 2, four days after the deadline.

PROCEDURAL HISTORY

MNE Trucking sued OJ Commerce over payment and pricing for trucking services, and OJ Commerce asserted counterclaims alleging rate misrepresentations and overcharges. During discovery, the court ordered MNE Trucking to produce responsive invoices by April 28, 2025. MNE Trucking did not produce the first tranche until April 29 and stated that production was complete by May 2. After notice and an opportunity to respond, the court imposed a \$2,000 coercive sanction and reserved alleged substantive deficiencies in the production for a separate sanctions motion.

DISPOSITION

other

CASES CITED

- Shell Offshore Inc. v. Greenpeace, Inc., 815 F.3d 623, 629 (9th Cir. 2016)
- Int'l Union, United Mine Workers of Am. v. Bagwell, 512 U.S. 821, 827 (1994)
- Richmark Corp. v. Timber Falling Consultants, 959 F.2d 1468, 1480 (9th Cir. 1992)
- Whittaker Corp. v. Execuair Corp., 953 F.2d 510, 516 (9th Cir. 1992)
- United States v. Flores, 628 F.2d 521, 527 (9th Cir. 1980)
- RG Abrams Ins. v. L. Offs. of C.R. Abrams