

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Marquise Bailey v. Melo Bernaro, et al.

No. 2:24-cv-11213-FMO-MAR, 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 dismissed the settled action without costs and without prejudice. The court retained jurisdiction and allowed the parties 30 days to reopen the action for good cause if the settlement was not consummated.

CASE DETAILS

COURT	United States District Court for the Central District of California
JURISDICTION	United States District Court for the Central District of California
DECIDED	March 21, 2025
DOCKET	2:24-cv-11213-FMO-MAR
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court dismissed the settled civil action without prejudice and without costs, while retaining jurisdiction to reopen the action if the settlement was not consummated.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

civil procedure

PRACTICE AREAS

civil procedure settlement enforcement

QUESTIONS PRESENTED

- Whether the district court should dismiss the settled action without prejudice and retain jurisdiction to permit reopening if the settlement is not consummated.

HOLDINGS

1. Upon being advised that the action had been settled, the district court dismissed the action without costs and without prejudice, subject to reopening for good cause within 30 days if the settlement was not consummated.

KEY QUOTATIONS

“Having been advised by counsel that the above-entitled action has been settled, IT IS ORDERED that the above-captioned action is hereby dismissed without costs and without prejudice to the right, upon good cause shown within 30, to re-open the action if settlement is not consummated.” (at 17-25)

FACTUAL BACKGROUND

The parties reached a settlement in the civil action. Counsel advised the district court of the settlement, and the court dismissed the action without prejudice while preserving the possibility of reopening if the settlement was not consummated.

PROCEDURAL HISTORY

Counsel advised the district court that the action had been settled. The court entered an order dismissing the action without prejudice, allowing reopening for good cause within 30 days if the settlement was not consummated.

DISPOSITION

dismissed

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S. Ct. 1386, 1388 (1962)