

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

Yuri Doering v. Mariano Nunez

No. 2:25-cv-01252-FMO-ADS, United States District Court for the Central District of California (May 30, 2025)

SUMMARY

The United States District Court for the Central District of California dismissed the action without prejudice after counsel advised the court that the case had settled. The court retained jurisdiction and permitted the parties to seek reopening within 30 days 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	May 30, 2025
DOCKET	2:25-cv-01252-FMO-ADS
DISPOSITION	dismissed
PROCEDURAL POSTURE	The action was dismissed without prejudice after counsel advised the court that the matter had settled.
PRECEDENTIAL VALUE	nonprecedential district court order

TOPICS

civil procedure contracts

PRACTICE AREAS

civil procedure contracts

QUESTIONS PRESENTED

- Whether the settled action should be dismissed without prejudice while permitting reopening if the settlement was not consummated.

HOLDINGS

- The court dismissed the action without costs and without prejudice because counsel advised that the action had settled, retained jurisdiction over the action, and permitted reopening upon good cause shown

within 30 days if the settlement was not consummated.

KEY QUOTATIONS

“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 1)

“Failure to re-open or seek an extension of time to re-open the action by the deadline set forth above shall be deemed as consent by the parties to dismissal of the action without prejudice.” (at 1)

FACTUAL BACKGROUND

Counsel advised the district court that the action had been settled. The court dismissed the action without costs and without prejudice to reopening upon good cause shown within 30 days if the settlement was not consummated.

PROCEDURAL HISTORY

The plaintiff commenced an action against Mariano Nunez and other defendants. After counsel advised the court that the action had settled, the district court dismissed the action without costs and without prejudice, while retaining jurisdiction to reopen it 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)

OPINION

3 4 5 6 7 UNITED STATES DISTRICT COURT 8 CENTRAL DISTRICT OF CALIFORNIA 9
YURI DOERING CASE NO: 10 2:25-cv-01252-FMO-ADS Plaintiff(s), 11 v. ORDER
DISMISSING ACTION 12 MARIANO NUNEZ, et al. WITHOUT PREJUDICE 13 14
Defendant(s). 15 16 17 Having been advised by counsel that the above-entitled action has been
settled, 18 IT IS ORDERED that the above-captioned action is hereby dismissed without costs 19
and without prejudice to the right, upon good cause shown within 30, to re-open the 20 action if
settlement is not consummated.

The court retains full jurisdiction 21 over this action and this Order shall not prejudice any party to
this action. Failure 22 to re-open or seek an extension of time to re-open the action by the deadline
23 set forth above shall be deemed as consent by the parties to dismissal of the 24 action without
prejudice. See Fed. R. Civ. P. 41(b); Link v. Wabash R.R.

Co., 25 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962). 26 27 Dated The 30th of May 2025 /s/

