

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Dalrada Precision Corp. v. Stuart Cox

Case No. 24-cv-1122-AJB-DEB (S.D. Cal. Jan. 16, 2026) · No. 24-cv-1122-AJB-DEB · Decided January 16, 2026

SUMMARY

The United States District Court for the Southern District of California grants Defendant Stuart Cox’s motions to dismiss for lack of personal jurisdiction, with leave for Plaintiffs to amend. The court denies Cox’s motions to vacate an Early Neutral Evaluation settlement, finding that Rule 60(b) does not apply absent a final judgment or dismissal order and that the asserted circumstances do not justify relief. The court also denies Cox’s sanctions motion and request to reinstate a hearing date.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Southern District of California                                                                                                                                                                                                                                                                                                                                                                                                           |
| WRITING FOR THE COURT | Anthony J. Battaglia                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| JURISDICTION          | United States District Court for the Southern District of California                                                                                                                                                                                                                                                                                                                                                                                                           |
| DECIDED               | January 16, 2026                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| DOCKET                | 24-cv-1122-AJB-DEB                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| PROCEDURAL POSTURE    | Defendant moved under Federal Rule of Civil Procedure 12(b)(2) to dismiss for lack of personal jurisdiction, moved under Rule 60(b) to vacate an Early Neutral Evaluation settlement, sought Rule 11 sanctions, and requested reinstatement of a hearing date. The court decided the motions on the papers.                                                                                                                                                                    |
| STANDARD OF REVIEW    | For personal jurisdiction, the court applied the federal due-process minimum-contacts standard and required Plaintiffs to establish purposeful availment or purposeful direction and that the claims arose out of forum-related conduct; if those first two requirements were met, Defendant bore the burden of showing that jurisdiction would be unreasonable. The court reviewed the Rule 60(b), Rule 11, and hearing requests under the standards governing those motions. |
| PRECEDENTIAL VALUE    | unpublished district court order; limited persuasive value                                                                                                                                                                                                                                                                                                                                                                                                                     |

## TOPICS

personal jurisdiction

motions to dismiss

civil procedure

sanctions

breach of contract

## PRACTICE AREAS

civil procedure

personal jurisdiction

settlement enforcement

sanctions

commercial litigation

## QUESTIONS PRESENTED

1. Whether the court could exercise specific personal jurisdiction over Defendant based on the allegations in the Complaint.
2. Whether Defendant could vacate the Early Neutral Evaluation settlement under Federal Rule of Civil Procedure 60(b).
3. Whether Plaintiffs and their counsel should be sanctioned under Federal Rule of Civil Procedure 11.
4. Whether Defendant was entitled to reinstatement of a hearing date because motions were decided without oral argument.

## HOLDINGS

1. The Complaint did not establish that Defendant purposefully availed himself of California or purposefully directed conduct toward California, so the court lacked specific personal jurisdiction over Defendant and dismissed the claims without prejudice, with leave to amend.
2. Defendant could not obtain relief under Rule 60(b) because no final judgment, order, or order of dismissal had been entered, and his allegations of disadvantage, pro se status, and foreign residence did not establish a basis to set aside the settlement. The court neither set aside nor enforced the settlement because Plaintiffs had not moved to enforce it.
3. Sanctions were unwarranted because Plaintiffs' Complaint was neither frivolous nor filed for an improper purpose.
4. The court denied Defendant's request to reinstate the hearing because the court may decide motions without oral argument under Civil Local Rule 7.1.d.1.

## KEY QUOTATIONS

*“The minimum contacts inquiry “looks to the defendant’s contacts with the forum State itself, not the defendant’s contacts with persons who reside there,” emphasizing that “it is the defendant’s conduct that must form the necessary connection with the forum State.””* (at 4)

*“Rule 60(b) is not intended to remedy the effects of a deliberate and independent litigation decision that a party later comes to regret through second thoughts or subsequently-gained knowledge.”* (at 7)

*“The court may decide a motion without oral argument.”* (at 9)

## FACTUAL BACKGROUND

Plaintiffs, California and Wyoming corporations with their principal places of business in California, acquired the United Kingdom company Likido from Defendant through a December 2019 Stock Purchase Agreement and separately entered into a consulting agreement. Plaintiffs alleged that Defendant misrepresented Likido's contract with MAPtech and concealed payments and performance problems, resulting in an arbitration award against Likido that Plaintiffs assumed as a liability. Defendant was a United Kingdom citizen residing in the Philippines, and the Complaint did not allege that he entered California, negotiated the agreements in California, or directed harmful conduct there.

## PROCEDURAL HISTORY

Plaintiffs brought claims for fraudulent misrepresentation, fraudulent concealment, fraudulent inducement, breach of contract, unjust enrichment, injunctive relief, defamation, and violations of California Business and Professions Code sections 17200–17207. Defendant filed five motions. The court granted the Rule 12(b)(2) motions with leave to amend, denied the motions to vacate the settlement, denied sanctions, and denied the request to reinstate the hearing.

## DISPOSITION

other

## REMAND INSTRUCTIONS

No remand. Plaintiffs were granted leave to amend and could file an Amended Complaint by January 29, 2026; Defendant's responsive pleading was due February 13, 2026.

## CASES CITED

- *Schwarzenegger v. Fred Martin Motor Co.*, 374 F.3d 797, 800-01, 802 (9th Cir. 2004)
- *International Shoe Co. v. State of Washington*, *International Shoe Co. v. Washington*, 326 U.S. 310, 316 (1945)
- *Dole Food Co. v. Watts*, 303 F.3d 1104, 1111 (9th Cir. 2002)
- *Walden v. Fiore*, *Walden v. Fiore*, 571 U.S. 277, 285 (2014)
- *Bristol-Myers Squibb Co. v. Superior Court*, 582 U.S. 255, 262 (2017)
- *Boschetto v. Hansing*, 539 F.3d 1011, 1017 (9th Cir. 2008)
- *Burger King Corp. v. Rudzewicz*, *Burger King Corp. v. Rudzewicz*, 471 U.S. 462, 478-79 (1985)
- *Picot v. Weston*, 780 F.3d 1206, 1213 (9th Cir. 2015)
- *Davis v. Cranfield Aerospace Sols., Ltd.*, 71 F.4th 1154, 1162-63 (9th Cir. 2023), cert. denied, 144 S. Ct. 826 (2024)
- *Morrill v. Scott Fin. Corp.*, 873 F.3d 1136, 1144
- *Lovell v. Union City Police Dep't*, No. 17-1039-JDT-EGB, 2018 WL 1470262, at \*1 n.2 (W.D. Tenn. Mar. 26, 2018)
- *Latshaw v. Trainer Wortham & Co.*, 452 F.3d 1097, 1099, 1101 (9th Cir. 2006)
- *Engleson v. Burlington Northern R. Co.*, 972 F.2d 1038, 1043 (9th Cir. 1992)

- *Hylar v. Inv. Grade Loans, Inc.*, No. C 07-03180 WHA, 2008 WL 4279689, at \*3 (N.D. Cal. Sept. 10, 2008), *aff'd*, 362 F. App'x 652 (9th Cir. 2010)
- *Casey v. Albertson's Inc.*, 362 F.3d 1254, 1260 (9th Cir. 2004)
- *De Saracho v. Custom Food Mach., Inc.*, 206 F.3d 874, 880 (9th Cir. 2000)
- *Mir v. Little Co. of Mary Hosp.*, 844 F.2d 646, 652 (9th Cir. 1988)

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