

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WASHINGTON

Georgie Anufriev v. John Leikauf, Michael Ivanov, John Thompsons
Auto and Truck Center, Western International Recovery Bureau of
Spokane Washington, Shannon Burke, Jeff Leikauf, and John Nowels

Anufriev · No. 2:25-CV-0516-TOR · Decided March 30, 2026

SUMMARY

The United States District Court for the Eastern District of Washington granted motions to dismiss filed by Jeff Leikauf, John Nowels, and Michael Ivanov. The claims against all three defendants were dismissed without prejudice based on lack of personal jurisdiction, failure to state a claim, and the plaintiff's failure to respond to the motions.

CASE DETAILS

COURT	United States District Court for the Eastern District of Washington
JURISDICTION	United States District Court for the Eastern District of Washington
DECIDED	March 30, 2026
DOCKET	2:25-CV-0516-TOR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a civil rights complaint alleging that a vehicle he purchased was taken from him without due process. Three defendants moved to dismiss, and the court granted all three motions after plaintiff failed to respond.
STANDARD OF REVIEW	The court exercised discretion under Local Civil Rule 7(e) to treat plaintiff's failure to respond as consent to an adverse order.
PRECEDENTIAL VALUE	Unknown
PARTIES	Georgie Anufriev v. Jeff Leikauf, John Nowels, Michael Ivanov

TOPICS

- personal jurisdiction
- motions to dismiss
- pleadings
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether plaintiff's failure to respond to the defendants' motions to dismiss could be construed as consent to an adverse order.
2. Whether the claims against Jeff Leikauf and Michael Ivanov should be dismissed without prejudice for lack of personal jurisdiction under Federal Rule of Civil Procedure 12(b)(2).
3. Whether the claims against John Nowels should be dismissed without prejudice for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6).

HOLDINGS

1. The district court may exercise discretion under Local Civil Rule 7(e) to treat a party's failure to respond to an opposing argument as consent to entry of an adverse order; plaintiff's failure to respond was therefore construed as consent to dismissal of the moving defendants.
2. The claims against Jeff Leikauf and Michael Ivanov were dismissed without prejudice for lack of personal jurisdiction under Federal Rule of Civil Procedure 12(b)(2).
3. The claims against John Nowels were dismissed without prejudice for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6).

KEY QUOTATIONS

“Plaintiff may be proceeding pro se but he is still required to “follow the same rules of procedure that govern other litigants.”” (at 1)

FACTUAL BACKGROUND

Plaintiff alleged that a vehicle he purchased on July 31, 2025, was taken from him without due process. Defendants Jeff Leikauf, John Nowels, and Michael Ivanov moved to dismiss on personal-jurisdiction and failure-to-state-a-claim grounds. Plaintiff did not respond to the motions or request additional time.

PROCEDURAL HISTORY

Plaintiff filed the complaint on December 22, 2025. Defendants Jeff Leikauf, John Nowels, and Michael Ivanov separately moved to dismiss. Plaintiff did not respond to any motion, did not seek an extension, and did not otherwise communicate with the court. The district court granted each motion and dismissed those three defendants without prejudice.

DISPOSITION

dismissed

CASES CITED

- Brydges v. Lewis, 18 F.3d 651, 652 (9th Cir. 1994) (per curiam)
- Atain Specialty Ins. Co. v. Todd, No. 4:18-CV-5022-RMP, 2019 WL 2030329, at *5 (E.D. Wash. Jan. 24, 2019)
- King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987)

OPINION

Anufriev

PER CURIAM.

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FILED IN THE

U.S. DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

2 Mar 30, 2026

3 SEAN F. MCAVOY, CLERK

4

5 UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

6

7 GEORGIE ANUFRIEV,

NO. 2:25-CV-0516-TOR

8 Plaintiff,

ORDER DISMISSING

9 v. DEFENDANTS JOHN LEIKAUF,

MICHAEL IVANOV, AND JOHN

10 THOMPSONS AUTO AND TRUCK NOWELS

CENTER, WESTERN

11 INTERNATIONAL RECOVERY

BUREAU OF SPOKANE

12 WASHINGTON, SHANNON

BURKE, MICHAEL IVANOV, JEFF

13 LEIKAUF, and JOHN NOWELS,

14 Defendants. 15 BEFORE THE COURT are Defendant Jeff Leikauf's Motion to Dismiss

16 (ECF No. 5), Defendant John Nowels Motion to Dismiss (ECF No. 9), and 17 Defendant

Michael Ivanov's Motion to Dismiss (ECF No. 11). These matters were 18 submitted for

consideration without oral argument. The Court has reviewed the 19 record and files herein and is

fully informed. For the reasons discussed below, 20 each motion is GRANTED. 1 Plaintiff filed a

complaint on December 22, 2025 against six defendants 2 alleging that a vehicle he purchased on

July 31, 2025, was taken from him without 3 due process. ECF No. 1. Defendants, Jeff Leikauf,

John Nowels, and Michael 4 Ivanov (collectively “Defendants”), have each filed a motion to dismiss. Plaintiff 5 never responded to any of the motions and the hearing dates for each have now 6 passed. 7 A district court has discretion to determine whether a party’s failure to 8 respond to an opposing party’s argument should be deemed consent to the entry of 9 an adverse order. LCivR 7(e); *Brydges v. Lewis*, 18 F.3d 651, 652 (9th Cir. 10 1994) (per curiam); see also *Atain Specialty Ins. Co. v. Todd*, No. 4:18-CV-5022- 11 RMP, 2019 WL 2030329, at *5 (E.D. Wash. Jan. 24, 2019) (“A failure to respond 12 to an opposing party’s argument is deemed consent to the entry of an adverse 13 order.”). 14 Plaintiff’s response to Defendants’ motions were due nearly two months 15 ago, and Plaintiff has not filed any motions for an extension of time to respond or 16 has otherwise communicated with the Court. Plaintiff may be proceeding pro se 17 but he is still required to “follow the same rules of procedure that govern other 18 litigants.” *King v. Atiyeh*, 814 F.2d 565, 567 (9th Cir. 1987). Therefore, the Court 19 construes Plaintiff’s failure to respond as consent to the dismissal of Defendants. 20 Defendant Leikauf moves for dismissal without prejudice under Federal 1 Rule of Civil Procedure 12(b)(2) for lack of personal jurisdiction or alternatively 2 dismissal with prejudice pursuant to Rule 12(b)(6) for failure to state a claim. ECF

3 No. 5. The Court dismisses the claims against Defendant Leikauf without 4 prejudice pursuant to Rule 12(b)(2). 5 Defendant Ivanov also moves for dismissal on personal jurisdiction grounds 6 pursuant to Rule 12(b)(2). ECF No. 11. The Court dismisses Plaintiff’s claims 7 against Defendant Ivanov without prejudice pursuant to Rule 12(b)(2). Defendant 8 Nowels moves to dismiss Plaintiff’s claims pursuant to Rule 12(b)(6) for failure to 9 state a claim. ECF No. 9. Therefore, the Court dismisses Plaintiff’s claims as to 10 Defendant Nowels without prejudice under Rule 12(b)(6). 11 // 12 // 13 // 14 // 15 // 16 // 17 // 18 // 19 // 20 // ACCORDINGLY, IT IS HEREBY ORDERED: 2 1. Defendant Jeff Leikauf’s Motion to Dismiss (ECF No. 5) is GRANTED. 3 2. Defendant John Nowels Motion to Dismiss (ECF No. 9) is GRANTED. 4 3. Defendant Michael Ivanov’s Motion to Dismiss (ECF No. 11) is 5 GRANTED. 6 4. Defendants Jeff Leikauf, John Nowels, and Michael Ivanov are 7 DISMISSED from this action without prejudice. 8 The District Court Executive is directed to enter this Order and furnish 9|| copies to counsel. 10 DATED March 30, 2026. <> United States District Judge 13 14 15 16 17 18 19 20

ORDER DISMISSING DEFENDANTS JOHN LEIKAUF, MICHAEL