

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Awasthi v. Intel Corporation

No. 24-cv-05621-TSH (N.D. Cal. Mar. 4, 2025) · No. 24-cv-05621-TSH · Decided March 4, 2025

SUMMARY

The United States District Court for the Northern District of California orders Plaintiff Vinay K. Awasthi to show cause why his False Claims Act action against Intel Corporation should not be dismissed. The order cites the plaintiff's failure to comply with a deadline to obtain counsel or file an amended complaint and directs him to file a declaration by March 20, 2025.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Thomas S. Hixson
JURISDICTION	United States District Court for the Northern District of California
DECIDED	March 4, 2025
DOCKET	24-cv-05621-TSH
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a qui tam complaint under the federal False Claims Act. After the government filed a notice declining intervention, the court ordered Plaintiff to either appear through counsel or file an amended complaint. Plaintiff failed to respond, prompting the court to issue an order to show cause regarding dismissal for failure to prosecute and failure to comply with court deadlines.
PRECEDENTIAL VALUE	Unknown
PARTIES	Vinay K. Awasthi v. Intel Corporation

TOPICS

- civil procedure
- pleadings
- federal spending

PRACTICE AREAS

- civil procedure
- False Claims Act
- commercial litigation

QUESTIONS PRESENTED

- 1. Whether the court should require Plaintiff to show cause why the action should not be dismissed for failure to prosecute and failure to comply with court deadlines.
- 2. Whether the court possesses inherent authority to dismiss an action sua sponte to achieve the orderly and expeditious disposition of cases.

HOLDINGS

- 1. A federal district court possesses inherent power to dismiss an action sua sponte to achieve the orderly and expeditious disposition of cases.

KEY QUOTATIONS

“The Court possesses the inherent power to dismiss an action sua sponte “to achieve the orderly and expeditious disposition of cases.”” (at 1)

FACTUAL BACKGROUND

Vinay K. Awasthi alleged that Intel Corporation violated the federal False Claims Act by making false claims about the health of its platforms. The United States filed a notice declining intervention. After the court required Plaintiff to appear through counsel or amend the complaint by a specified deadline, Plaintiff failed to respond.

PROCEDURAL HISTORY

Plaintiff filed a complaint alleging that Intel Corporation violated the False Claims Act by making false claims concerning the health of its platforms. The government declined to intervene on January 24, 2025. The court ordered Plaintiff to file either a notice of appearance through counsel or an amended complaint by February 27, 2025, but Plaintiff failed to do so. The court issued an order to show cause requiring a written response by March 20, 2025.

DISPOSITION

other

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 629-33 (1962)

OPINION

1 2 3 UNITED STATES DISTRICT COURT 4 NORTHERN DISTRICT OF CALIFORNIA 5 6 VINAY K. AWASTHI, Case No. 24-cv-05621-TSH 7 Plaintiff, g y ORDER TO SHOW CAUSE 9 INTEL CORPORATION, 10 Defendant. 11 12 Plaintiff Vinay Awasthi brings this complaint alleging Defendant Intel Corporation & 13 || violated the federal False Claims Act by making “false claims about health of its platforms[.]” 14 || Compl. at 21, ECF No. 1.

On January 24, 2025, the government filed a Notice of Election to O 15 Decline Intervention. ECF No. 14. As such, the Court ordered Plaintiff to file by February 27, 5 16 || 2025 either a notice of appearance through counsel or an amended complaint. ECF No. 15. Plaintiff has failed to respond. 18 The Court possesses the inherent power to dismiss an action sua sponte “to achieve the 19 orderly and expeditious disposition of cases.” Link v. Wabash R.R.

Co., 370 U.S. 626, 629-33 0 (1962). Accordingly, the Court ORDERS Plaintiff to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff shall file a declaration by March 20, 2025. Notice is hereby provided that failure to file a written response will be deemed an admission that you do not intend to prosecute, and this case will likely be 54 dismissed.

Thus, it is imperative the Court receive a written response by the deadline above. 35 IT IS SO ORDERED. Dated: March 4, 2025 26 □ 27 LaA_1} THOMAS S. HIXSON 28 United States Magistrate Judge