

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Charles S. Singer, individually and on behalf of all others similarly
situated v. Diversified Adjustment Service, Inc.

Singer · No. 2:25-cv-01852-CDS-MDC · Decided December 15, 2025

SUMMARY

The United States District Court for the District of Nevada directed the parties to file a joint status report concerning the resolution of a putative class action. The court explained that, because no class had been certified, Rule 23(e) did not require settlement approval or notice to putative class members, but requested clarification as to whether dismissal would be with or without prejudice.

CASE DETAILS

COURT	United States District Court for the District of Nevada
JURISDICTION	United States District Court for the District of Nevada
DECIDED	December 15, 2025
DOCKET	2:25-cv-01852-CDS-MDC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed a notice stating that the dispute was resolved in a putative class action before class certification. The court directed the parties to file a joint status report concerning whether plaintiff intended to dismiss the putative class members' claims with or without prejudice.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown
PARTIES	Charles S. Singer, individually and on behalf of all others similarly situated v. Diversified Adjustment Service, Inc.

TOPICS

- class actions
- civil procedure

PRACTICE AREAS

- civil procedure
- class actions

QUESTIONS PRESENTED

1. Whether Federal Rule of Civil Procedure 23(e) requires court approval or notice to putative class members when no class has been certified and dismissal would not affect their claims.
2. Whether the parties needed to clarify the proposed treatment of the putative class members' claims before dismissal.

HOLDINGS

1. When no class has been certified and dismissal would not affect putative class members' claims, Rule 23(e) does not require court approval of the settlement or notice to putative class members.
2. In the described circumstances, the settlement of the putative class action is governed by Federal Rule of Civil Procedure 41, and a voluntary dismissal or joint stipulation of dismissal may be sufficient.

KEY QUOTATIONS

“Where no class has been certified and dismissal would not affect putative class members’ claims, Rule 23(e) does not mandate either court approval of the parties’ settlement or notice to putative class members.” (at 1)

FACTUAL BACKGROUND

Plaintiff Charles Singer brought the action individually and on behalf of a putative class. The parties reported that their dispute had been resolved, but the record did not establish whether Singer intended to dismiss the putative class members' claims with or without prejudice.

PROCEDURAL HISTORY

Charles Singer filed a putative class action against Diversified Adjustment Service, Inc. The parties notified the court that the dispute was resolved, but no class had been certified and the court required clarification regarding the intended prejudice of any dismissal.

DISPOSITION

other

CASES CITED

- Gaefcke v. Flatiron West, Inc., 2024 U.S. Dist. LEXIS 5390, *3 (E.D. Cal. Jan. 9, 2024)
- Titus v. BlueChip Fin., 786 F. App'x 694, 695 (9th Cir. 2019)

OPINION

1 2 UNITED STATES DISTRICT COURT DISTRICT OF NEVADA 3 Charles S. Singer, individually and on behalf of Case No. 2:25-cv-01852-CDS-MDC all others similarly situated, 5 Order Directing Parties to File a Joint Status Report 6 Plaintiff 7 V. 8|| Diversified Adjustment Service, Inc., 9 Defendant 10 || Plaintiff Charles Singer, individually and on behalf of all others similarly situated, filed a 12|| notice indicating the dispute with Diversified Adjustment Services, Inc. is resolved.

Notice, ECF No. 10. Where no class has been certified and dismissal would not affect putative class members' claims, Rule 23(e) does not mandate either court approval of the parties' settlement or notice to 15|| putative class members. *Gaefcke v. Flatiron West, Inc.*, 2024 U.S. Dist. LEXIS 5390, *3 (E.D. Cal. Jan. 16|| 9, 2024) (citing *Titus v. BlueChip Fin.*, 786 F. App'x 694, 695 (9th Cir.

2019)). In such a case, the 17|| settlement of this putative class would be governed by Rule 41 and a voluntary dismissal or joint 18|| stipulation of dismissal would be sufficient. However, because the court is unsure whether 19|| Singer intends to dismiss the putative class members' claims with or without prejudice, the 20|| parties are instructed to file a joint status report so scvgy by December 29, 2025.

21 Dated: December 15, 2025 / jf 22 Lj, — U ite States District Judge 24 25 26