

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Bekaryan v. United States

Bekaryan · No. 2:24-cv-02574-JAM-CSK · Decided July 28, 2025

SUMMARY

The United States District Court for the Eastern District of California stayed this Federal Tort Claims Act action pending resolution of a related Ninth Circuit appeal concerning administrative exhaustion and equitable tolling. The court found that the appeal in *Perez v. United States* presented similar facts and controlling legal questions that could affect the government's motion to dismiss. The parties were ordered to file a joint status report within ten days of the Ninth Circuit's decision in *Perez* or by July 27, 2026, whichever occurs first.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	John A. Mendez
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 28, 2025
DOCKET	2:24-cv-02574-JAM-CSK
DISPOSITION	other
PROCEDURAL POSTURE	The United States moved to dismiss Plaintiff's Federal Tort Claims Act claims for lack of subject matter jurisdiction. Before resolving the motion, the court stayed the action pending the Ninth Circuit's resolution of a related appeal involving the timing and jurisdictional nature of FTCA administrative exhaustion requirements.
STANDARD OF REVIEW	Abuse-of-discretion principles govern review of a district court's docket-management stay; the court weighs potential damage from the stay, hardship or inequity from proceeding, and the orderly course of justice, including whether a stay will simplify issues and promote judicial economy.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation and metadata identifying precedential status as unknown.

TOPICS

motions to dismiss

subject matter jurisdiction

civil procedure

administrative law

appellate procedure

PRACTICE AREAS

civil procedure

administrative law

Federal Tort Claims Act

personal injury

QUESTIONS PRESENTED

1. Whether the court should stay the action pending the Ninth Circuit's resolution of *Perez v. United States*, which presented similar questions concerning the timing and jurisdictional nature of FTCA administrative exhaustion requirements.
2. Whether the potential prejudice, hardship, and judicial-economy considerations supported a docket-management stay before resolving the Government's motion to dismiss.

HOLDINGS

1. A district court may exercise its inherent docket-management authority to stay an action pending resolution of independent proceedings that may affect the case, and the relevant considerations supported staying this action pending the Ninth Circuit's resolution of *Perez*.

KEY QUOTATIONS

“[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants.” (at 2)

“may, with propriety, find it is efficient for its own docket and the fairest course for the parties to enter a stay of an action before it, pending resolution of independent proceedings which bear upon the case.” (at 2)

FACTUAL BACKGROUND

Plaintiff alleges that she was injured after tripping over a groundwater-monitoring well lid maintained by the United States Air Force. She filed an administrative tort claim on October 24, 2023; the claim was initially denied on April 4, 2024, and she sought reconsideration on April 29, 2024. Plaintiff filed suit on September 23, 2024, before the Air Force issued its final denial of reconsideration on October 4, 2024.

PROCEDURAL HISTORY

Plaintiff filed administrative tort claims with the Department of the Air Force, received an initial denial, and requested reconsideration. She filed this action before the Air Force issued its final denial of the reconsideration request. The Government moved to dismiss for failure to satisfy the FTCA's administrative exhaustion prerequisites. The court stayed the action pending the Ninth Circuit's decision in *Perez v. United States* and ordered a joint status report.

DISPOSITION

other

CASES CITED

- Landis v. N. Am. Co., 299 U.S. 248, 254 (1936)
- Ernest Bock, LLC v. Steelman, 76 F.4th 827, 842 (9th Cir. 2023)
- Mediterranean Enters., Inc. v. Ssangyong Corp., 708 F.2d 1458, 1465 (9th Cir. 1983)
- In re PG&E Corp. Sec. Litig., 100 F.4th 1076, 1085 (9th Cir. 2024)
- Lockyer v. Mirant Corp., 398 F.3d 1098, 1110-12
- Perez v. United States, No. 2:22-CV-00941-KJM-AC, 2023 WL 4669993 (E.D. Cal. July 19, 2023)

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