

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Kathryn Callaghan v. Zoetop Business Co., Ltd.

Case No. 2:24-cv-09233-FMO-SK · No. 2:24-cv-09233-FMO-SK · Decided July 31, 2025

SUMMARY

The United States District Court for the Central District of California dismissed the action without prejudice after counsel advised the court that the matter had settled. The court retained jurisdiction and allowed the parties 45 days to reopen the action for good cause if the settlement was not consummated.

CASE DETAILS

COURT	United States District Court for the Central District of California
JURISDICTION	United States District Court for the Central District of California
DECIDED	July 31, 2025
DOCKET	2:24-cv-09233-FMO-SK
DISPOSITION	dismissed
PROCEDURAL POSTURE	The action was dismissed without prejudice after counsel advised the court that the action had settled.
PRECEDENTIAL VALUE	Unknown

TOPICS

civil procedure

PRACTICE AREAS

civil procedure settlement and dismissal

QUESTIONS PRESENTED

- Whether the settled action should be dismissed without prejudice and subject to reopening if the settlement was not consummated.

HOLDINGS

- The action was dismissed without costs and without prejudice because counsel advised the court that the matter had settled, with the court retaining jurisdiction and allowing reopening for good cause within 45

days if the settlement was not consummated.

KEY QUOTATIONS

“IT IS ORDERED that the above-captioned action is hereby dismissed without costs and without prejudice to the right, upon good cause shown within 45 days, to re-open the action if settlement is not consummated. The court retains full jurisdiction over this action and this Order shall not prejudice any party to this action.” (17-25)

FACTUAL BACKGROUND

Counsel advised the court that the action had been settled. The court therefore dismissed the action without prejudice and without costs, retained jurisdiction, and allowed the parties to seek reopening within 45 days for good cause if the settlement was not consummated.

PROCEDURAL HISTORY

Plaintiff brought the action in the United States District Court for the Central District of California. After counsel advised the court that the matter had settled, the court dismissed the action without prejudice, while permitting reopening for good cause within 45 days if the settlement was not consummated.

DISPOSITION

dismissed

CASES CITED

- Link v. Wabash R.R. Co., 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962)

OPINION

Kathryn Callaghan v. Zoetop Business Co., Ltd.

PER CURIAM.

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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

8 9 KATHRYN CALLAGHAN CASE NO: 2:24-cv-09233-FMO-SK

10 Plaintiff(s), 11 v.

ORDER DISMISSING ACTION

12 ZOETOP BUSINESS CO., LTD. , et al. WITHOUT PREJUDICE

13 14 Defendant(s). 15 16 17 Having been advised by counsel that the above-entitled action has been settled, 18 IT IS ORDERED that the above-captioned action is hereby dismissed without costs 19 and without prejudice to the right, upon good cause shown within 45 days, to re-open the 20 action if settlement is not consummated. The court retains full jurisdiction 21 over this action and this Order shall not prejudice any party to this action. Failure 22 to re-open or seek an

extension of time to re-open the action by the deadline 23 set forth above shall be deemed as consent by the parties to dismissal of the 24 action without prejudice. See Fed. R. Civ. P. 41(b); Link v. Wabash R.R. Co., 25 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962). 26 27

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