

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Lorne Currie v. FCA US LLC et al.

Currie v. FCA US LLC · No. 2:23-cv-00927-SPG-AS · Decided November 24, 2025

SUMMARY

The United States District Court for the Central District of California ordered Plaintiff Lorne Currie to show cause in writing why the case should not be dismissed for lack of prosecution. The order followed the parties’ settlement-related stipulation and Plaintiff’s failure to dismiss the action after the agreed payment deadline.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Sherilyn Peace Garnett
JURISDICTION	United States District Court for the Central District of California
DECIDED	November 24, 2025
DOCKET	2:23-cv-00927-SPG-AS
DISPOSITION	other
PROCEDURAL POSTURE	After the plaintiff filed a notice of settlement and the parties submitted a joint stipulation regarding fees, costs, and expenses, the district court issued an order to show cause why the action should not be dismissed for lack of prosecution because the plaintiff had not dismissed the case as contemplated by the settlement arrangements.
PRECEDENTIAL VALUE	unknown

TOPICS

civil procedure

PRACTICE AREAS

civil procedure product liability

QUESTIONS PRESENTED

- Whether the district court may act on its own motion to dismiss an action for lack of prosecution.

2. Whether the plaintiff should be required to show cause why the action should not be dismissed for lack of prosecution after failing to dismiss the case following the reported settlement.

HOLDINGS

1. A federal district court possesses inherent authority to dismiss a plaintiff's action for failure to prosecute on its own motion.

KEY QUOTATIONS

“The authority of a federal trial court to dismiss a plaintiff's action with prejudice because of his failure to prosecute cannot seriously be doubted.” (at 1)

“Consistent with that authority, the Court ORDERS Plaintiff to show cause, in writing, on or before December 10, 2025, why this case should not be dismissed for lack of prosecution.” (at 1)

FACTUAL BACKGROUND

The parties reported that their dispute had settled and stipulated that FCA US, LLC would pay the plaintiff's fees, costs, and expenses by July 17, 2025. The plaintiff was then expected to dismiss the action against all parties within ten business days. Despite the settlement-related stipulation and the court's vacatur of the prior show-cause hearing, the plaintiff had not dismissed the case as of the date of the order.

PROCEDURAL HISTORY

On March 27, 2025, the court received Plaintiff Lorne Currie's notice of settlement and set an order-to-show-cause hearing regarding dismissal. On April 21, 2025, the parties filed a joint stipulation stating that FCA US, LLC would pay fees, costs, and expenses by July 17, 2025, after which the plaintiff would dismiss the case within ten business days. The court vacated the scheduled hearing after receiving the stipulation, but the plaintiff had not dismissed the action by November 24, 2025. The court therefore ordered the plaintiff to show cause in writing by December 10, 2025, why the case should not be dismissed for lack of prosecution.

DISPOSITION

other

CASES CITED

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

OPINION

Lorne Currie v. FCA US LLC et al

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES — GENERAL

Case No. 2:23-cv-00927-SPG-AS Date November 24, 2025 Title Lorne Currie v. FCA US LLC et al ee Present: The Honorable SHERILYN PEACE GARNETT

UNITED STATES DISTRICT JUDGE

P. Gomez Not Reported Deputy Clerk Court Reporter / Recorder Attorneys Present for Plaintiff: Attorneys Present for Defendants: Not Present Not Present Proceeding: (INCHAMBERS) ORDER TO SHOW CAUSE On March 27, 2025, upon receipt of Plaintiff Lorne Currie's ("Plaintiff") Notice of Settlement, (ECF No. 19), the Court set an Order to Show Cause re Dismissal for April 23, 2025, (ECF No. 20). On April 21, 2025, the parties filed a Joint Stipulation Regarding Plaintiff's Fees, Costs, and Expenses and Request for Entry of Order. (ECF No. 23 ("Joint Stipulation")). The parties represented that Defendant FCA US, LLC ("Defendant") was to pay fees, costs, and expenses for the matter by July 17, 2025. (/d. at 2). After satisfaction of the payment, Plaintiff was to dismiss the case within ten (10) business days against all parties. (/d.). The Court vacated the April 23, 2025, Order to Show Cause hearing upon receipt of the Joint Stipulation. At present, Plaintiff has not dismissed the case. The Court enjoys the inherent power to dismiss for lack of prosecution on its own motion. See, e.g., *Link v. Wabash R. Co.*, 370 U.S. 626, 629 (1962) ("The authority of a federal trial court to dismiss a plaintiff's action with prejudice because of his failure to prosecute cannot seriously be doubted."). Consistent with that authority, the Court ORDERS Plaintiff to show cause, in writing, on or before December 10, 2025, why this case should not be dismissed for lack of prosecution. This matter will stand submitted upon the filing of Plaintiffs' response. See Fed. R. Civ. P. 78. Failure to respond will be deemed consent to the dismissal of the action.

IT IS SO ORDERED

Initials of Preparer pg