

U.S. DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

Aaron Weiss et al. v. Rocket Mortgage, LLC et al.

Weiss v. Rocket Mortgage · No. CV 24-00401-MWF (PDx) · Decided September 24, 2025

SUMMARY

The Central District of California dismissed the action against Landmark Mortgage Capital, Inc. without prejudice for failure to prosecute after Plaintiffs failed to file a renewed motion for default judgment by the court-ordered deadline. Because the court had previously dismissed the claims against Rocket Mortgage, LLC, the order constituted entry of judgment against Plaintiffs as to all Defendants.

OPINION

CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES—GENERAL Case No. CV 24-00401-MWF (PDx) Date: September 24, 2025 Title: Aaron Weiss et al. v. Rocket Mortgage, LLC et al. Present: The Honorable MICHAEL W. FITZGERALD, U.S. District Judge Deputy Clerk: Court Reporter: Rita Sanchez Not Reported Attorneys Present for Plaintiffs: Attorneys Present for Defendants: None Present None Present Proceedings (In Chambers): ORDER DISMISSING ACTION; ENTRY OF JUDGMENT On August 25, 2025, the Court denied Plaintiffs Aaron and Rebecca Weiss’s Amended Motion for Default Judgment and Attorney’s Fees and Costs filed against Defendant Landmark Mortgage Capital, Inc. (See generally Docket No. 39).

In that Order, the Court stated that a failure to file a renewed motion for default judgment by September 15, 2025, would result in the action against Defendant Landmark being dismissed for failure to prosecute. (See *id.* at 6).

As of September 24, 2025, Plaintiffs have not filed a renewed motion for default judgment. Accordingly, the action against Defendant Landmark is DISMISSED without prejudice for lack of prosecution. See Fed. R. Civ. P. 41(b); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629–30 (1962). IT IS SO ORDERED.

As the Court previously dismissed the claims against Defendant Rocket Mortgage, LLC, (see Docket No. 34), the only other Defendant in this action, this Order constitutes notice of entry of judgment against Plaintiffs Aaron and Rebecca Weiss as to all Defendants, pursuant to Federal Rule of Civil Procedure 58. Pursuant to Local Rule 58-6, the Court ORDERS the Clerk to treat this Order, and its entry on the docket, as an entry of judgment.
