

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Soto v. Gen. Motors LLC

No. 2:25-cv-09172-MCS-AS (C.D. Cal. Nov. 6, 2025) · No. 2:25-cv-09172-MCS-AS · Decided November 6, 2025

SUMMARY

The court grants in substantial part Plaintiff Armandina Soto’s motion to remand her Magnuson-Moss Warranty Act and California Song-Beverly Consumer Warranty Act action to state court. It holds that removal was untimely because the federal claim made the case removable upon service of the complaint, denies fees and costs, and directs remand to the Los Angeles County Superior Court.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Mark C. Scarsi
JURISDICTION	United States District Court for the Central District of California
DECIDED	November 6, 2025
DOCKET	2:25-cv-09172-MCS-AS
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff moved to remand an action removed from the Los Angeles County Superior Court based on allegedly untimely removal. The district court granted the motion in substantial part and remanded the case to state court, denying the request for fees and costs.
STANDARD OF REVIEW	The court reviewed whether removal was timely under 28 U.S.C. § 1446(b)(1) and whether fees and costs were warranted under 28 U.S.C. § 1447(c).
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Armandina Soto v. General Motors LLC

TOPICS

- civil procedure
- consumer protection
- subject matter jurisdiction
- motions to dismiss

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether a complaint asserting a Magnuson-Moss Warranty Act claim presents a removable federal question under 28 U.S.C. §§ 1331 and 1441(a) even when the amount in controversy is not stated or certain on the face of the complaint.
2. Whether General Motors's removal more than 30 days after service of the complaint was untimely under 28 U.S.C. § 1446(b)(1).
3. Whether Soto was entitled to fees and costs incurred as a result of the removal under 28 U.S.C. § 1447(c).

HOLDINGS

1. For purposes of 28 U.S.C. § 1446(b)(1), a pleading containing a Magnuson-Moss Warranty Act claim sets forth a federal claim removable under 28 U.S.C. §§ 1331 and 1441(a), regardless of whether the amount placed in controversy by the claim is stated or certain on the face of the complaint.
2. Because the initial complaint set forth a removable federal claim, General Motors was required to remove within 30 days after receiving the complaint under 28 U.S.C. § 1446(b)(1). Removal approximately five months after service was untimely and required remand.
3. Fees and costs were properly denied because Soto failed to comply with the court's rules governing fee motions and General Motors had an objectively reasonable basis for removal on an issue about which reasonable minds disagreed.

KEY QUOTATIONS

“this Court subscribes to the position that, for the purposes of § 1446(b)(1), a pleading containing an MMWA claim sets forth a federal claim removable under §§ 1331 and 1441(a) irrespective of whether the amount placed in controversy by the claim is stated or certain on the face of the complaint.” (Page 2)

“Because removal was untimely, the case must be remanded.” (Page 3)

FACTUAL BACKGROUND

Soto's state-court complaint asserted a federal Magnuson-Moss Warranty Act claim and a California Song-Beverly Consumer Warranty Act claim. General Motors was served with the complaint on April 11, 2025, but did not remove the action until September 25, 2025. The complaint did not clarify the amount placed in controversy by the MMWA claim.

PROCEDURAL HISTORY

Armandina Soto filed a complaint in the Los Angeles County Superior Court on April 9, 2025, asserting claims under the federal Magnuson-Moss Warranty Act and the California Song-Beverly Consumer Warranty Act. General Motors removed the action to federal court on September 25, 2025, invoking diversity jurisdiction. Soto moved to remand, arguing that the MMWA claim made federal jurisdiction apparent from the face of the

complaint and required removal within 30 days of service. The district court granted remand and directed the Clerk to close the federal case, but denied fees and costs.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The Clerk was directed to effect the remand immediately to the Los Angeles County Superior Court, case number 25STCV10483, and close the federal case.

CASES CITED

- Lopez de Anda v. Gen. Motors LLC, No. 2:25-cv-07354-MCS-SSC, 2025 U.S. Dist. LEXIS 204419, at *3–13 (C.D. Cal. Oct. 15, 2025)
- Maniar v. Fed. Deposit Ins. Corp., 979 F.2d 782, 784 (9th Cir. 1992)
- Gardner v. UICI, 508 F.3d 559, 561 (9th Cir. 2007)
- Martin v. Franklin Cap. Corp., 546 U.S. 132, 141 (2005)