

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Mariana Crescioni v. UMG Recordings, Inc.

Crescioni · No. 2:25-cv-05756-FLA (SSCx) · Decided July 24, 2025

SUMMARY

The United States District Court for the Central District of California ordered the parties to show cause why the action should not be dismissed for lack of subject matter jurisdiction. The court questioned whether the Complaint plausibly established that the amount in controversy exceeded \$75,000 under 28 U.S.C. § 1332(a) and directed the parties to submit written responses within fourteen days.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Fernando L. Aenlle-Rocha
JURISDICTION	United States District Court for the Central District of California
DECIDED	July 24, 2025
DOCKET	2:25-cv-05756-FLA (SSCx)
DISPOSITION	other
PROCEDURAL POSTURE	The district court sua sponte reviewed the complaint for subject matter jurisdiction in a diversity action and issued an order requiring the parties to show cause why the action should not be dismissed.
STANDARD OF REVIEW	The court independently examines subject matter jurisdiction sua sponte. When jurisdictional allegations are challenged or questioned, the party asserting jurisdiction must establish the amount in controversy by a preponderance of the evidence.
PRECEDENTIAL VALUE	Unknown; district court order to show cause, with no published reporter citation.

TOPICS

- subject matter jurisdiction
- pleadings
- civil procedure

PRACTICE AREAS

- civil procedure
- federal jurisdiction

QUESTIONS PRESENTED

1. Whether the Complaint adequately establishes subject matter jurisdiction under the diversity statute, including whether the amount in controversy exceeds \$75,000.
2. Whether the parties must submit evidence concerning the jurisdictional amount in response to the court's sua sponte jurisdictional inquiry.
3. Whether dismissal is required if the court determines that subject matter jurisdiction is lacking or if Plaintiff fails to respond adequately to the order to show cause.

HOLDINGS

1. A federal court must examine its subject matter jurisdiction sua sponte before proceeding to the merits, and federal jurisdiction is presumed absent unless it affirmatively appears from the record.
2. A complaint invoking diversity jurisdiction must plausibly allege that the amount in controversy exceeds \$75,000, exclusive of interest and costs; because the Complaint did not do so sufficiently, the court required further jurisdictional submissions.
3. If the court determines at any time that it lacks subject matter jurisdiction, it must dismiss the action; Plaintiff's failure to respond timely and adequately to the order to show cause will result in dismissal without further notice.

KEY QUOTATIONS

“Federal courts are courts of “limited jurisdiction,” possessing only “power authorized by the Constitution and statute[.]”” (at 1)

“A complaint filed in federal court must contain “a plausible allegation that the amount in controversy exceeds the jurisdictional threshold.”” (at 1)

“Responses shall be limited to ten (10) pages in length.” (at 2)

FACTUAL BACKGROUND

Plaintiff Mariana Crescioni filed a complaint against UMG Recordings, Inc. in federal court based on alleged diversity jurisdiction. The court determined that the Complaint did not state sufficient facts to establish that the amount in controversy exceeded the \$75,000 jurisdictional threshold. The court therefore sought additional evidence or judicially noticeable facts before deciding whether diversity jurisdiction exists.

PROCEDURAL HISTORY

Plaintiff filed an action against UMG Recordings, Inc. invoking federal diversity jurisdiction under 28 U.S.C. § 1332(a). After reviewing the Complaint, the district court found that it could not determine whether the amount in controversy exceeded \$75,000 and ordered the parties to submit written responses, evidence, and judicially noticeable facts within fourteen days. The order warned that Plaintiff's failure to respond timely and adequately would result in dismissal without further notice.

DISPOSITION

CASES CITED

- Kokkonen v. Guardian Life Insurance Co. of America, 511 U.S. 375, 377 (1994)
- DaimlerChrysler Corp. v. Cuno, 547 U.S. 332, 342 n. 3 (2006)
- Ruhrgas AG v. Marathon Oil Co., 526 U.S. 574, 583 (1999)
- Dart v. Cherokee Basin Operating Co. v. Owens, 574 U.S. 81, 89 (2014)
- Dart v. Cherokee Basin Operating Co. v. Owens, 574 U.S. 81, 88-89 (2014)
- Verb Technology Co. v. Baker & Hostetler LLP, Case No. 2:21-cv-06500-ODW (MAAx), 2021 WL 4125207, at *1 (C.D. Cal. Sept. 9, 2021)
- Leite v. Crane Co., 749 F.3d 1117, 1122 (9th Cir. 2014)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 CENTRAL DISTRICT OF
CALIFORNIA 10 11 MARIANA CRESCIONI, Case No. 2:25-cv-05756-FLA (SSCx) 12
Plaintiff, ORDER TO SHOW CAUSE WHY 13 v. ACTION SHOULD NOT BE DISMISSED
FOR LACK OF 14 SUBJECT MATTER JURISDICTION UMG RECORDINGS, INC., 15
Defendant. 16 17 18 19 20 21 22 23 24 25 26 27 28 1 Federal courts are courts of “limited
jurisdiction,” possessing only “power 2 authorized by the Constitution and statute[.]” Kokkonen v.
Guardian Life Ins.

Co. of 3 Am., 511 U.S. 375, 377 (1994); U.S. Const. art. III, § 2, cl. 1. Courts are presumed to 4
lack jurisdiction unless the contrary appears affirmatively from the record. See 5 DaimlerChrysler
Corp. v. Cuno, 547 U.S. 332, 342 n. 3 (2006). Additionally, federal 6 courts have an obligation to
examine jurisdiction sua sponte before proceeding to the 7 merits of a case.

See Ruhrgas AG v. Marathon Oil Co., 526 U.S. 574, 583 (1999). 8 Federal courts have jurisdiction
where an action arises under federal law or 9 where each plaintiff’s citizenship is diverse from
each defendant’s citizenship and the 10 amount in controversy exceeds \$75,000, exclusive of
interest and costs. 28 U.S.C. 11 §§ 1331, 1332(a). A complaint filed in federal court must contain
“a plausible 12 allegation that the amount in controversy exceeds the jurisdictional threshold.”
Dart 13 v. Cherokee Basin Operating Co. v. Owens, 574 U.S. 81, 89 (2014).

Where a party 14 contests, or a court questions, a party’s allegations concerning the amount in 15
controversy, both sides shall submit proof, and the court must decide whether the 16 party
asserting jurisdiction has proven the amount in controversy by a preponderance 17 of the
evidence. Id. at 88–89; see Fed. R. Civ. P. 12(h)(3) (“If the court determines at 18 any time that it
lacks subject-matter jurisdiction, the court must dismiss the action.”).

19 The same procedures apply when the existence of complete diversity of the parties is 20 called into question. See, e.g., *Verb Tech. Co. v. Baker & Hostetler LLP*, Case No. 21 2:21-cv-06500-ODW (MAAx), 2021 WL 4125207, at *1 (C.D. Cal. Sept. 9, 2021). 22 The court has reviewed the Complaint and is presently unable to conclude it has 23 subject matter jurisdiction over this action under 28 U.S.C. § 1332(a).

In particular, 24 and without limitation, the court finds the Complaint does not state sufficient facts to 25 establish the amount in controversy exceeds \$75,000. See *Dart*, 574 U.S. at 88–89. 26 Accordingly, the parties are ORDERED to SHOW CAUSE, in writing only, 27 within fourteen (14) days from the date of this Order, why this action should not be 28 dismissed for lack of subject matter jurisdiction.

The parties are encouraged to submit | || evidence and/or judicially noticeable facts in response to the court's Order. 2 || Responses shall be limited to ten (10) pages in length. The parties should consider 3 | this Order to be a two-pronged inquiry into the facial and factual sufficiency of 4 | Plaintiff's demonstration of jurisdiction. See *Leite v. Crane Co.*, 749 F.3d 1117, 1122 5 | (9th Cir.

2014). 6 As Plaintiff is the party asserting federal jurisdiction, Plaintiffs failure to 7 || respond timely and adequately to this Order shall result in dismissal of the action 8 | without further notice. 9 10 IT IS SO ORDERED. 11 12 | Dated: July 24, 2025 13 FERNANDO L. AENLLE-ROCHA 4 United States District Judge 15 16 17 18 19 20 21 22 23 24 25 26 27 28