

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Amar Pramod Amte v. Equifax Information Services LLC, et al.

Amte v. Equifax · No. 8:25-cv-00384-FWS-JDE · Decided March 3, 2025

SUMMARY

The United States District Court for the Central District of California sua sponte remanded the case to Orange County Superior Court for lack of subject matter jurisdiction. The court held that the complaint asserted only a state-law claim and did not present a federal question, and the defendant did not contend that diversity jurisdiction existed. The court denied the plaintiff's motion to remand as moot and vacated the scheduled hearing.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Fred W. Slaughter
JURISDICTION	United States District Court for the Central District of California
DECIDED	March 3, 2025
DOCKET	8:25-cv-00384-FWS-JDE
DISPOSITION	remanded
PROCEDURAL POSTURE	Defendant removed a state-law consumer credit reporting action from Orange County Superior Court. Defendant later moved to remand, and the district court sua sponte remanded for lack of subject matter jurisdiction and denied the motion to remand as moot.
STANDARD OF REVIEW	The removing defendant bears the burden of establishing federal subject matter jurisdiction, and removal statutes are strictly construed against removal. The court independently determines whether subject matter jurisdiction exists and may remand sua sponte when it does not.
PRECEDENTIAL VALUE	unpublished
PARTIES	Amar Pramod Amte v. Equifax Information Services LLC

TOPICS

- subject matter jurisdiction
- civil procedure
- federalism
- consumer protection

PRACTICE AREAS

Federal jurisdiction

Removal and remand

Consumer credit reporting

QUESTIONS PRESENTED

1. Whether the district court had federal-question jurisdiction over a complaint asserting only a California Consumer Credit Reporting Agencies Act claim.
2. Whether the action should be remanded sua sponte for lack of subject matter jurisdiction.
3. Whether Defendant's motion to remand should be denied as moot after the court independently ordered remand.

HOLDINGS

1. Federal-question jurisdiction was absent because no federal question appeared on the face of Plaintiff's properly pleaded complaint, which asserted only a state-law claim.
2. The court could and did remand the action sua sponte because the case was not properly removed and the court lacked subject matter jurisdiction.

KEY QUOTATIONS

“A defendant may remove a civil action filed in state court to a federal district court if the federal court would have had original jurisdiction over the action.” (at 1)

“A “court may—indeed must—remand an action sua sponte if it determines that it lacks subject matter jurisdiction.”” (at 2)

“Under the “well-pleaded complaint rule,” federal question jurisdiction is present only when “a federal question is presented on the face of the plaintiff’s properly pleaded complaint.”” (at 2)

FACTUAL BACKGROUND

Plaintiff filed a state-court action asserting a single claim against Equifax for violation of the California Consumer Credit Reporting Agencies Act. Defendant removed the action based on the erroneous assertion that the complaint also asserted a Fair Credit Reporting Act claim. Defendant later conceded that removal was erroneous and requested remand because the claims did not invoke federal law.

PROCEDURAL HISTORY

Plaintiff filed a single claim under the California Consumer Credit Reporting Agencies Act in Orange County Superior Court. Defendant removed the action, erroneously asserting that the complaint included claims under the Fair Credit Reporting Act and the California statute. Defendant subsequently acknowledged that removal was erroneous and moved to remand. The district court determined that the complaint presented no federal question and that diversity jurisdiction was not asserted, so it remanded the case to state court and denied the motion as moot.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The case is remanded to Orange County Superior Court in case number 30-2025-01455095-CU-BT-CJC. Defendant's motion to remand is denied as moot, and the April 3, 2025 hearing is vacated and removed from the calendar.

CASES CITED

- Shamrock Oil & Gas Corp. v. Sheets, 313 U.S. 100, 109 (1941)
- United States v. Ceja-Prado, 333 F.3d 1046, 1051 (9th Cir. 2003)
- Gaus v. Miles, Inc., 980 F.2d 564, 566 (9th Cir. 1992)
- GFD, LLC v. Carter, 2012 WL 5830079, at *2 (C.D. Cal. Nov. 15, 2012)
- Caterpillar Inc. v. Williams, 482 U.S. 386, 392 (1987)

OPINION

Amar Pramod Amte v. Equifax Information Services LLC

PER CURIAM.

UNITED STATES DISTRICT COURT

JS-6

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: 8:25-cv-00384-FWS-JDE Date: March 3, 2025 Title: Amar Pramod Amte v. Equifax Information Services LLC, et al.

Present: HONORABLE FRED W. SLAUGHTER, UNITED STATES DISTRICT JUDGE

Rolls Royce Paschal N/A Deputy Clerk Court Reporter Attorneys Present for Plaintiffs: Attorneys

Present for Defendant: Not Present Not Present

PROCEEDINGS: ORDER SUA SPONTE REMANDING CASE AND DENYING AS

MOOT MOTION TO REMAND [8]

Plaintiff Amar Pramod Amte (“Plaintiff”) filed this case in Orange County Superior Court, asserting a single claim against Defendant Equifax, Inc. (“Defendant”) for violation of the California Consumer Credit Reporting Agencies Act. (Dkt. 1-1 (“Complaint” or “Compl.”).) Defendant removed the case to this court, erroneously stating that the Complaint asserts claims under both the Fair Credit Reporting Act and the California Consumer Credit Reporting Agencies Act. (Dkt. 1 (“Notice of Removal” or “NOR”) ¶ 1.) Based on this erroneous statement of fact, Defendant asserted that the court has federal jurisdiction over this case. (Id. ¶¶ 4-8, 13.) Defendant then filed a Motion to Remand Case to Orange County Superior Court, stating that “upon further review, [Defendant] believes it removed this matter in error and Plaintiff’s claims do not invoke

any federal statutes, treaties, or constitutional provisions,” and “request[ing] that this matter be remanded back to state court which has jurisdiction to hear Plaintiff’s claims.” (Dkt. 8 (“Motion”).) A defendant may remove a civil action filed in state court to a federal district court if the federal court would have had original jurisdiction over the action. 28 U.S.C. § 1441. Federal courts have subject matter jurisdiction over cases that (1) involve questions arising under federal law or (2) are between diverse parties and involve an amount in controversy that exceeds \$75,000. 28 U.S.C. §§ 1331, 1332. Principles of federalism and judicial economy require courts to “scrupulously confine their [removal] jurisdiction to the precise limits which

UNITED STATES DISTRICT COURT

JS-6

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: 8:25-cv-00384-FWS-JDE Date: March 3, 2025 Title: Amar Pramod Amte v. Equifax Information Services LLC, et al. [Congress] has defined.” See *Shamrock Oil & Gas Corp. v. Sheets*, 313 U.S. 100, 109 (1941). Indeed, “[n]othing is to be more jealously guarded by a court than its jurisdiction.” See *United States v. Ceja-Prado*, 333 F.3d 1046, 1051 (9th Cir. 2003) (internal quotations omitted). The defendant removing the action to federal court bears the burden of establishing that the district court has subject matter jurisdiction, and the removal statute is strictly construed against removal jurisdiction. *Gaus v. Miles, Inc.*, 980 F.2d 564, 566 (9th Cir. 1992) (“Federal jurisdiction must be rejected if there is any doubt as to the right of removal in the first instance.”). A “court may—indeed must—remand an action sua sponte if it determines that it lacks subject matter jurisdiction.” *GFD, LLC v. Carter*, 2012 WL 5830079, at *2 (C.D. Cal. Nov. 15, 2012). In this case, the court finds that the court does not have subject matter jurisdiction over this case. Under the “well-pleaded complaint rule,” federal question jurisdiction is present only when “a federal question is presented on the face of the plaintiff’s properly pleaded complaint.” *Caterpillar Inc. v. Williams*, 482 U.S. 386, 392 (1987). No federal question appears on the face of the Complaint, which asserts a single state law claim. (See generally Compl.) Nor does Defendant contend that diversity jurisdiction exists. (See generally NOR; see also Mot.) Because the court finds this case was not properly removed, the court sua sponte REMANDS the case to Orange County Superior Court in case number 30-2025-01455095-CU- BT-CJC. The Motion is therefore DENIED AS MOOT. In addition, the court finds this matter appropriate for resolution without oral argument. See Fed. R. Civ. P. 78(b) (“By rule or order, the court may provide for submitting and determining motions on briefs, without oral hearings.”); C.D. Cal. L.R. 7-15 (authorizing courts to “dispense with oral argument on any motion except where an oral hearing is required by statute”). Accordingly, the hearing set for April 3, 2025, (Dkt. 9), is VACATED and off calendar.
