

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF  
CALIFORNIA

**Gloria Brockman and Willie Brockman v. Costco Wholesale  
Corporation and Does 1 through 10, inclusive**

Brockman · No. 3:25-cv-01603-H-DEB · Decided August 1, 2025

SUMMARY

The United States District Court for the Southern District of California ordered Gloria and Willie Brockman to disclose the special damages they had incurred to date in their negligence, premises liability, and loss-of-consortium action against Costco Wholesale Corporation. The disclosure was required to assist the court in determining whether the amount-in-controversy requirement for diversity jurisdiction was satisfied.

OPINION

Brockman v. Costco Wholesale Corporation

PER CURIAM.

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6 UNITED STATES DISTRICT COURT

7 SOUTHERN DISTRICT OF CALIFORNIA

8 9 GLORIA BROCKMAN and WILLIE Case No.: 3:25-cv-01603-H-DEB

BROCKMAN,

10

ORDER DIRECTING PLAINTIFF

Plaintiffs,

11 TO DISCLOSE SPECIAL DAMAGES

v. 12

COSTCO WHOLESale

13 CORPORATION and DOES 1 through 14 10, inclusive, 15 Defendants. 16 17 On May 15, 2025, Plaintiffs Gloria and Willie Brockman filed a complaint in the 18 Superior Court of California, County of San Diego against Defendant Costco Wholesale 19 Corporation (“Costco”). (Doc. No. 1-2, Compl.) On June 23, 2025, Costco removed the 20 action to the United States District Court for the Southern District of California pursuant 21 to 28 U.S.C. § 1441(b) on the basis of diversity jurisdiction. (Doc. No. 1, Notice of 22 Removal.) Plaintiffs’ complaint asserts state-law claims for negligence, premises liability, 23 and loss of consortium. (Compl. ¶¶ 10–21.) Plaintiffs’ claims arise from an incident where 24 Plaintiff Gloria Brockman was hit by a Costco employee in her flank with a shopping cart. 25 (Compl. ¶ 7.) Plaintiffs seek, among other

remedies, special damages, including medical expenses. (Id. at 5.) Plaintiffs served Defendant with an alternative dispute resolution package along with the complaint. (Doc. No. 1-3, Ex. A.) The alternative dispute resolution package contained a statement of damages, where Plaintiffs indicated they sought \$5,000,000 in several categories of special damages, including medical expenses to date. (Id. at 10.) On June 26, 2025, the Court ordered Defendant to show cause why the case should not be remanded to state court and provided Plaintiff an opportunity to respond. (Doc. No. 4.) As discussed in the order to show cause (“OSC”), the record as it stands does contain enough information to satisfy the Court that the amount in controversy requirement to establish diversity jurisdiction under 28 U.S.C. § 1332 has been met. (Id.) On July 21, 2025, Defendant filed their response to the Court’s OSC. (Doc. No. 7.) In its response, Defendant stated that it has asked Plaintiffs for their medical bills incurred to date but that Plaintiffs have not provided them. (Id. at 3.) Defendant also stated that it met and conferred with Plaintiffs regarding damages and that, during the meet and confer, Plaintiffs would not stipulate that their damages were less than \$75,000. (Id. at 2-3.) Finally, Defendant requested that the Court order Plaintiffs to disclose their special damages and to allow for additional briefing on the Court’s OSC. (Id. at 6.) Plaintiffs did file a response to the Court’s OSC. Jurisdictional discovery “should ordinarily be granted where pertinent facts bearing on the question of jurisdiction are controverted or where a more satisfactory showing of the facts is necessary.” *Laub v. U.S. Dept. of the Interior*, 342 F.3d 1080, 1093 (9th Cir. 18 2003). Because the Court cannot determine whether the amounts listed in Plaintiffs’ statement of damages are a reasonable estimate, the Court requires a more satisfactory showing of the facts in order to determine if it has subject matter jurisdiction. Accordingly, Court orders Plaintiff to disclose the special damages it has incurred to date to Defendant and to file the disclosure with the Court within thirty (30) days of the date of this order. The Court will determine if further briefing is necessary after reviewing Plaintiffs’ special damages disclosure. IT IS SO ORDERED. DATED: August 1, 2025  
hwa  
MARILYN L) HUFF, District Judge  
28 UNITED STATES DISTRICT COURT