

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF  
CALIFORNIA

Mayra Aragon v. FCA US, LLC, et al.

Aragon v. FCA US LLC · No. 2:24-cv-10089-FLA (JPRx) · Decided March 12, 2025

SUMMARY

The court remands Mayra Aragon’s Song-Beverly Consumer Warranty Act action against FCA US, LLC to the Los Angeles County Superior Court for lack of subject matter jurisdiction. The court concludes that FCA failed to establish by a preponderance of the evidence that the amount in controversy exceeded \$75,000, because civil penalties and attorney’s fees were too speculative or inadequately supported.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Central District of California                                                                                                                                                                                                                                                                                                                    |
| WRITING FOR THE COURT | Fern L. Aenlle-Rocha                                                                                                                                                                                                                                                                                                                                                                   |
| JURISDICTION          | United States District Court for the Central District of California                                                                                                                                                                                                                                                                                                                    |
| DECIDED               | March 12, 2025                                                                                                                                                                                                                                                                                                                                                                         |
| DOCKET                | 2:24-cv-10089-FLA (JPRx)                                                                                                                                                                                                                                                                                                                                                               |
| DISPOSITION           | remanded                                                                                                                                                                                                                                                                                                                                                                               |
| PROCEDURAL POSTURE    | Defendant removed Plaintiff’s California Song-Beverly Consumer Warranty Act action from Los Angeles County Superior Court based on diversity jurisdiction. The district court sua sponte questioned whether the amount in controversy exceeded \$75,000, considered the parties’ responses to an order to show cause, and remanded the action for lack of subject matter jurisdiction. |
| STANDARD OF REVIEW    | The removing defendant bears the burden of establishing federal subject matter jurisdiction by a preponderance of the evidence. When the amount in controversy is contested or questioned, the parties must submit proof, and doubts concerning removal are resolved in favor of remand.                                                                                               |
| PRECEDENTIAL VALUE    | Unpublished district court remand order; precedential status is unknown.                                                                                                                                                                                                                                                                                                               |
| PARTIES               | FCA US, LLC v. Mayra Aragon                                                                                                                                                                                                                                                                                                                                                            |

## TOPICS

subject matter jurisdiction

civil procedure

consumer protection

damages

attorney fees

## PRACTICE AREAS

Civil procedure

Federal jurisdiction

Consumer protection

Remedies

## QUESTIONS PRESENTED

1. Whether FCA established by a preponderance of the evidence that the amount in controversy exceeded \$75,000 for purposes of diversity jurisdiction.
2. Whether the asserted actual damages, potential Song-Beverly civil penalties, and attorney's fees were sufficiently supported for inclusion in the amount-in-controversy calculation.
3. Whether the action should be remanded to state court for lack of subject matter jurisdiction.

## HOLDINGS

1. FCA failed to establish by a preponderance of the evidence that the amount in controversy exceeded \$75,000, so the district court lacked subject matter jurisdiction and was required to remand the action.
2. Potential civil penalties could not be included in the amount-in-controversy calculation because FCA provided no specific facts or evidence showing that Aragon was reasonably likely to recover them or that the actual damages would reasonably be doubled.
3. Potential attorney's fees could be considered, but FCA failed to prove by a preponderance of the evidence that a reasonable fee award would supply the \$22,338.72 needed to exceed the jurisdictional threshold.

## KEY QUOTATIONS

*“Having reviewed and considered the Notice of Removal and the parties’ responses to the OSC, the court finds Defendant fails to establish subject matter jurisdiction by a preponderance of the evidence and REMANDS this action to the Los Angeles County Superior Court.”* (at 1)

*“Federal courts are courts of “limited jurisdiction,” possessing “only that power authorized by [the] Constitution and statute, which is not to be expanded by judicial decree.””* (at 2)

*“Simply assuming a civil penalty award is inconsistent with the principle that the defendant must provide evidence that it is more likely than not that the amount in controversy requirement is satisfied.”* (at 4)

*“A district court may reject the defendant’s attempts to include future attorneys’ fees in the amount in controversy if the defendant fails to satisfy this burden of proof.”* (at 5)

## FACTUAL BACKGROUND

Mayra Aragon asserted four causes of action against FCA US, LLC under the California Song-Beverly Consumer Warranty Act concerning a vehicle. She sought actual damages, civil penalties, and attorney's fees. The retail installment sale contract identified a total sale price of \$52,661.28, and FCA did not provide sufficient

evidence establishing that civil penalties or attorney's fees would bring the amount in controversy above \$75,000.

## PROCEDURAL HISTORY

Plaintiff filed the complaint in Los Angeles County Superior Court on July 31, 2024. Defendant removed the action to the Central District of California on November 21, 2024, invoking diversity jurisdiction. After ordering the parties to show cause regarding the amount in controversy, the court concluded that Defendant had not proven by a preponderance of the evidence that the jurisdictional threshold was satisfied and remanded the case.

## DISPOSITION

remanded

## REMAND INSTRUCTIONS

The action is remanded to the Los Angeles County Superior Court, Case No. 24STCV19147. All dates and deadlines in the federal action are vacated, and the clerk is directed to close the action administratively.

## CASES CITED

- Kokkonen v. Guardian Life Ins. Co. of Am., 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 Cherokee Basin Operating Co. v. Owens, 574 U.S. 81, 88–89 (2014)
- Gaus v. Miles, Inc., 980 F.2d 564, 566–67 (9th Cir. 1992)
- Sanchez v. Ford Motor Co., 2018 WL 6787354, at \*1 (C.D. Cal. Dec. 4, 2018)
- Estrada v. FCA US LLC, 2021 WL 223249, at \*3 (C.D. Cal. Jan. 21, 2021)
- Pennon v. Subaru of Am., Inc., 2022 WL 2208578, at \*2 (C.D. Cal. June 17, 2022)
- Makol v. Jaguar Land Rover N. Am., LLC, 2018 WL 3194424, at \*3 (N.D. Cal. June 28, 2018)
- Khachatryan v. BMW of N. Am., LLC, 2021 WL 927266, at \*2 (C.D. Cal. Mar. 10, 2021)
- Gonzales v. CarMax Auto Superstores, LLC, 840 F.3d 644, 648–49 (9th Cir. 2016)
- Fritsch v. Swift Transp. Co. of Ariz., LLC, 899 F.3d 785, 795 (9th Cir. 2018)
- Kaplan v. BMW of N. Am., LLC, 2021 WL 4352340, at \*6 (S.D. Cal. Sept. 24, 2021)
- D'Amico v. Ford Motor Co., 2020 WL 2614610, at \*4 (C.D. Cal. May 21, 2020)
- Vega v. FCA US, LLC, 2021 WL 3771795, at \*4 (C.D. Cal. Aug. 25, 2021)