

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Carroll v. Ameri-Force Craft Services, Inc.

Carroll · No. 24-cv-1443-RSH-DTF · Decided September 11, 2025

SUMMARY

The United States District Court for the Southern District of California denied Plaintiff Marion J. Carroll’s motion to remand a putative wage-and-hour class action to California state court. The court held that Defendants sufficiently established the amount-in-controversy requirement for jurisdiction under the Class Action Fairness Act and that the local controversy exception did not apply because similar class actions had been filed within the preceding three years. The court also rejected Plaintiff’s argument concerning federal jurisdiction over the restitution claim.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Robert S. Huie
JURISDICTION	United States District Court for the Southern District of California
DECIDED	September 11, 2025
DOCKET	24-cv-1443-RSH-DTF
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to remand a putative wage-and-hour class action that defendants removed from California state court under the Class Action Fairness Act.
STANDARD OF REVIEW	The removing defendant bears the burden of establishing federal jurisdiction. For a contested CAFA amount-in-controversy allegation, the court determines by a preponderance of the evidence whether the jurisdictional threshold is satisfied. The applicability of the local controversy exception turns on the statutory requirements of 28 U.S.C. § 1332(d)(4)(A).
PRECEDENTIAL VALUE	Unpublished federal district court order; limited persuasive value
PARTIES	Marion J. Carroll v. Ameri-Force Craft Services, Inc., National Steel and Shipbuilding Co., Misael Vidama

TOPICS

class actions

subject matter jurisdiction

wage and hour

civil procedure

PRACTICE AREAS

Civil procedure

Class actions

Employment law

Wage and hour

Federal jurisdiction

QUESTIONS PRESENTED

1. Whether defendants established that the amount in controversy exceeded \$5 million under CAFA.
2. Whether the local controversy exception to CAFA required remand despite the existence of federal jurisdiction.
3. Whether the presence of an unfair-competition claim seeking restitution deprived the federal court of jurisdiction over the entire removed action.

HOLDINGS

1. Defendants satisfied their burden to show by a preponderance of the evidence that the amount in controversy exceeded \$5 million. The violation rates and other assumptions used in defendants' calculations were reasonable in light of the complaint's allegations and the employment data.
2. The local controversy exception did not apply because similar class actions had been filed against NASSCO within the three years preceding the action.
3. The presence of an unfair-competition claim seeking restitution did not require remand because federal jurisdiction over at least some claims permits removal of the entire action.

KEY QUOTATIONS

“The Court therefore considers, not whether the phrase “at times” could reasonably support a lower violation rate than that proposed by Defendants, but whether the violation rates assumed by Defendants here are unreasonable.” (III.A.3)

“The Ninth Circuit’s recital of the statutory purpose of the fourth prong did not authorize district courts to examine whether that purpose would be well served in a given case, as a substitute for applying the plain language of the statute.” (III.B)

FACTUAL BACKGROUND

Carroll alleged that she and other non-exempt California employees were denied overtime and minimum wages, meal and rest periods, timely payment of wages, accurate wage statements, expense reimbursement, vested vacation pay, and paid sick leave. Ameri-Force submitted employment and payroll information showing 767 California employees during the relevant period and calculated more than \$5 million in potential damages, plus attorneys' fees. Plaintiff challenged the reasonableness of defendants' assumed violation rates but did not propose alternative rates. Plaintiff also acknowledged that two similar class actions involving NASSCO employees had been filed within the preceding three years.

PROCEDURAL HISTORY

Carroll filed the putative class action in the San Diego County Superior Court on June 6, 2024. Ameri-Force removed the action to federal court on August 14, 2024, invoking CAFA jurisdiction. The federal court stayed the case for mediation, later lifted the stay after mediation failed, and denied plaintiff's motion to remand.

DISPOSITION

other

CASES CITED

- Standard Fire Insurance Co. v. Knowles, 568 U.S. 588, 592 (2013)
- Washington State v. Chimei Innolux Corp., 659 F.3d 842, 847 (9th Cir. 2011)
- Dart Cherokee Basin Operating Co., LLC v. Owens, 574 U.S. 81, 83, 87-89 (2014)
- LaCross v. Knight Transportation Inc., 775 F.3d 1200, 1202 (9th Cir. 2015)
- Lewis v. Verizon Communications, Inc., 627 F.3d 395, 399-400 (9th Cir. 2010)
- Campbell v. SkyWest Airlines, Inc., No. 3:24-CV-2141 TWR (SBC), 2025 WL 720188, at *3 (S.D. Cal. Mar. 6, 2025)
- Rea v. Michaels Stores Inc., 742 F.3d 1234, 1239 (9th Cir. 2014)
- Jauregui v. Roadrunner Transportation Services, Inc., 28 F.4th 989, 993 (9th Cir. 2022)
- Salatino v. American Airlines, Inc., 719 F. Supp. 3d 1094, 1100-01 (S.D. Cal. 2024)
- Perez v. Rose Hill Co., 131 F.4th 804, 806-10 (9th Cir. 2025)
- Cabrera v. S. Valley Almond Co., LLC, No. 1:21-CV-00748-AWI-JLT, 2021 WL 5937585, at *8 (E.D. Cal. Dec. 16, 2021)
- Bonetti v. TriStruX LLC, No. 24-CV-01319-LB, 2024 WL 3225905, at *6-7 (N.D. Cal. June 27, 2024)
- Demaria v. Big Lots Stores - PNS, LLC, No. 2:23-CV-00296-DJC-CKD, 2023 WL 6390151, at *7-8 (E.D. Cal. Sept. 29, 2023)
- Nunes v. Home Depot U.S.A., Inc., No. 2:19-CV-01207-JAM-DB, 2019 WL 4316903, at *3 (E.D. Cal. Sept. 12, 2019)
- Hill v. Hogan Personnel, LLC, No. EDCV 25-0564 JGB (SHKX), 2025 WL 1898255, at *8 (C.D. Cal. July 9, 2025)
- Serrieh v. Jill Acquisition LLC, 707 F. Supp. 3d 968, 978 (E.D. Cal. 2023)
- La Grow v. JetBlue Airways Corp., No. 2:24-CV-00518-ODW (SKX), 2024 WL 3291589, at *6 (C.D. Cal. July 3, 2024)
- Rombaut v. U.S. Concepts LLC, No. 2:25-CV-02802-AB (EX), 2025 WL 2044670, at *8-9 (C.D. Cal. July 18, 2025)
- Vallejo v. Sterigenics U.S., LLC, No. 3:20-cv-01788-AJB-AHG, 2021 WL 2685348, at *6 (S.D. Cal. June 29, 2021)
- Jacob v. CSL Plasma Inc., No. 24-CV-01807-H-DEB, 2024 WL 5004529, at *6 (S.D. Cal. Dec. 6, 2024)
- Arias v. Residence Inn by Marriott, 936 F.3d 920, 928 (9th Cir. 2019)
- Bridewell-Sledge v. Blue Cross of California, 798 F.3d 923, 924, 930, 932 (9th Cir. 2015)

- Kendrick v. Conduent State & Local Solutions, Inc., 910 F.3d 1255, 1261 (9th Cir. 2018)
- Lee v. American National Insurance Co., 260 F.3d 997, 1002-03 (9th Cir. 2001)
- Cantu v. England, Inc., No. EDCV 23-02126-MWF (SPx), 2024 WL 1995349, at *3 (C.D. Cal. May 6, 2024)

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