

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Denise Syron v. CBT Nuggets, LLC; Matthew Bromley; Shelly Galvin

Syron · No. 6:25-cv-01536-AA · Decided February 3, 2026

SUMMARY

The court grants Plaintiff Denise Syron’s motion to remand a removed state-court action to Multnomah County Circuit Court. It holds that removal was improper because the case was removed to the Eugene Division rather than the Portland Division, which embraces the county where the state action was pending, and declines to award attorney’s fees.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Ann Aiken
JURISDICTION	United States District Court for the District of Oregon
DECIDED	February 3, 2026
DOCKET	6:25-cv-01536-AA
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff moved to remand an action that defendants removed from Multnomah County Circuit Court to the Eugene Division of the United States District Court for the District of Oregon.
STANDARD OF REVIEW	Removal statutes are strictly construed, the removing defendants bear the burden of establishing that removal is proper, and ambiguities are resolved in favor of remand.
PRECEDENTIAL VALUE	Unknown; unpublished district court opinion
PARTIES	Denise Syron v. CBT Nuggets, LLC, Matthew Bromley, Shelly Galvin

TOPICS

- venue
- civil procedure

PRACTICE AREAS

- civil procedure
- removal and remand

QUESTIONS PRESENTED

1. Whether removal to the Eugene Division was proper when the underlying state action was pending in Multnomah County, which lies in the Portland Division of the District of Oregon.
2. Whether the court could transfer the case to the Portland Division instead of remanding it.
3. Whether plaintiff was entitled to attorney fees under 28 U.S.C. § 1447(c).

HOLDINGS

1. Removal was improper because 28 U.S.C. §§ 1441(a) and 1446(a) require removal to the district and division embracing the place where the state action is pending; here, the proper division was the Portland Division.
2. The court declined to transfer the case to the Portland Division because the former local-rule provision relied upon for transfer had been removed from the District of Oregon Local Rules in 2012 and no longer supplied authority for the transfer.
3. The court denied plaintiff's request for attorney fees because defendants had an objectively reasonable basis for seeking removal.

KEY QUOTATIONS

“The Court cannot prioritize the Local Rules over statutory directives.”

“To the extent that the Local Rules introduced an element of ambiguity, that ambiguity must be resolved in favor of remand.”

FACTUAL BACKGROUND

Plaintiff filed the underlying action in Multnomah County Circuit Court. Defendants removed the action to the Eugene Division of the District of Oregon even though the state action was pending in Multnomah County, which lies in the Portland Division. Defendants relied on the location of the underlying events and a forum-selection clause referring to Lane County.

PROCEDURAL HISTORY

The action was originally filed in Multnomah County Circuit Court. Defendants removed it to the Eugene Division, asserting that the events underlying the claims occurred in Eugene and that a forum-selection clause pointed to Lane County. Plaintiff timely moved to remand, arguing that the case should have been removed to the Portland Division because the state action was pending in Multnomah County. The court granted remand and declined to award attorney fees.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The case is remanded to the Circuit Court for the State of Oregon for Multnomah County. The Clerk of Court is directed to close the federal case. Plaintiff's request for attorney fees is denied.

CASES CITED

- Babasa v. LensCrafters, Inc., 498 F.3d 972, 974 (9th Cir. 2007)
- Hunter v. Philip Morris U.S.A., 582 F.3d 1039, 1042 (9th Cir. 2009)
- Ungier v. GE Security, Inc., No. CV 04-1466, 2005 WL 14898, at *3 (D. Or. Jan. 3, 2005)
- Martin v. Franklin Capital Corp., 546 U.S. 132, 141 (2005)

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