

**UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA**

Jeanette Viera v. General Motors LLC

No. 2:25-cv-09137-SB-SK, United States District Court for the Central District of California (October 23, 2025)

OPINION

Jeanette Viera v. General Motors LLC

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

JEANETTE VIERA, Case No. 2:25-cv-09137-SB-SK Plaintiff,

v. ORDER GRANTING MOTION TO

REMAND [DKT. NO. 14] AND

GENERAL MOTORS LLC, DENYING REQUEST FOR

ATTORNEY'S FEES

Defendant. Plaintiff Jeanette Viera filed this action in state court, alleging claims under California's Song-Beverly Consumer Warranty Act and the federal Magnuson-Moss Act. Defendant General Motors LLC waited nearly three months after answering to remove the case, invoking diversity jurisdiction. The notice of removal conclusorily alleges that Defendant "[i]n the last 30 days" had "conducted a preliminary investigation" and determined, based on unspecified information, that the case was subject to federal jurisdiction. Dkt. No. 1 at 2. Plaintiff moves to remand, challenging the timeliness of removal. Dkt. No. 14. The Court finds this matter suitable for decision without oral argument and vacates the October 24 motion hearing. Fed. R. Civ. P. 78; L.R. 7-15. Defendant's notice of removal is nearly identical those it filed in numerous other cases removed around the same time, which this Court has remanded based on untimeliness. E.g., *Cantero v. General Motors LLC*, No. 2:25-CV-06837-SB- PD, 2025 WL 2637990 (C.D. Cal. July 25, 2025). For the same reasons as in those cases, Defendant has not met its burden to show that removal was proper. Plaintiff's motion is therefore granted, and the case is remanded to the Los Angeles County Superior Court. The Court declines to exercise its discretion under 28 U.S.C. § 1447(c) to award attorney's fees and costs. Date: October 23, 2025

Stanley Blumenfeld, Jr. United States District Judge