

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Juan Carlos Herrera v. C & J Clark America Inc, et al.

No. 3:25-cv-07072 (N.D. Cal. Nov. 13, 2025) · No. 3:25-cv-07072 · Decided November 13, 2025

SUMMARY

The United States District Court for the Northern District of California denied Juan Carlos Herrera’s motion to remand a putative California wage-and-hour class action removed under the Class Action Fairness Act. The court held that Defendants established, by a preponderance of the evidence, the required class size, minimal diversity, and aggregate amount in controversy exceeding \$5 million. In calculating the amount in controversy, the court declined to reduce wage-statement and waiting-time penalties based on potential statutes-of-limitations defenses.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Jacqueline Scott Corley
JURISDICTION	United States District Court for the Northern District of California
DECIDED	November 13, 2025
DOCKET	3:25-cv-07072
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiff's motion to remand after removal based on CAFA.
STANDARD OF REVIEW	Preponderance of the evidence
PRECEDENTIAL VALUE	Unpublished district court order
PARTIES	Juan Carlos Herrera v. C & J Clark America Inc, et al.

TOPICS

- subject matter jurisdiction
- class actions
- wage and hour
- civil procedure

PRACTICE AREAS

- employment law
- civil procedure

QUESTIONS PRESENTED

1. Whether Defendants met their burden of proving the amount in controversy exceeds \$5 million under CAFA for removal jurisdiction
2. Whether statutes of limitations may be considered when calculating the amount in controversy in a CAFA removal

HOLDINGS

1. It is improper for a district court to consider a potential statute of limitations defense to reduce the amount in controversy because the amount in controversy represents the amount at stake in the litigation, not the likely liability.
2. Defendants met their burden of proving by a preponderance of the evidence that the aggregate amount in controversy exceeds \$5 million, as Plaintiff's requested wage statement penalties and waiting time penalties alone place at least \$7 million in controversy.

KEY QUOTATIONS

“‘It [is] improper for [a] district court to consider [Defendant]’s potential statute of limitations defense ... to determine the amount in controversy” because “[t]he amount in controversy represents only the amount at stake in the underlying litigation, not the likely liability.” Greene, 965 F.3d at 773–74” (at 5)

“‘to conclude it is ‘legally impossible’ for Plaintiff to recover more than \$5 million in penalties ‘would smuggle in merits-based arguments into the jurisdictional inquiry, which is supposed to be simple and mechanical.’” Greene, 965 F.3d at 774” (at 7)

FACTUAL BACKGROUND

Plaintiff, a California resident and former employee, brought a putative class action on behalf of himself and 1,058 other California employees who worked for Defendants (corporate residents of Pennsylvania and Massachusetts) during the four years preceding the complaint. The complaint alleged various wage and hour violations under California law, including failure to pay minimum wages, overtime, meal and rest period penalties, wage statement penalties, waiting time penalties, and PAGA penalties.

PROCEDURAL HISTORY

Plaintiff filed a putative wage-and-hour class action in Alameda County Superior Court. Defendants removed to federal court under CAFA. Plaintiff moved to remand, arguing the amount in controversy did not exceed \$5 million.

DISPOSITION

denied

CASES CITED

- *Greene v. Harley-Davidson, Inc.*, 965 F.3d 767 (9th Cir. 2020)
- *Jauregui v. Roadrunner Transportation Servs., Inc.*, 28 F.4th 989 (9th Cir. 2022)

- Ibarra v. Manheim Investments, Inc., 775 F.3d 1193 (9th Cir. 2015)
- Serrano v. 180 Connect, Inc., 478 F.3d 1018 (9th Cir. 2007)
- Dart Cherokee Basin Operating Co., LLC v. Owens, 574 U.S. 81 (2014)
- Crum v. Circus Circus Enters., 231 F.3d 1129 (9th Cir. 2000)
- Fritsch v. Swift Transportation Co. of Arizona, LLC, 899 F.3d 785 (9th Cir. 2018)
- Chavez v. JPMorgan Chase & Co., 888 F.3d 413 (9th Cir. 2018)
- Geographic Expeditions, Inc. v. Estate of Lhotka ex rel. Lhotka, 599 F.3d 1102 (9th Cir. 2010)
- Pachinger v. MGM Grand Hotel-Las Vegas, Inc., 802 F.2d 362 (9th Cir. 1986)
- Morris v. Hotel Riviera, Inc., 704 F.2d 1113 (9th Cir. 1983)
- Lewis v. Verizon Communications, Inc., 627 F.3d 395 (9th Cir. 2010)
- Brady v. Mercedes-Benz USA, Inc., 243 F. Supp. 2d 1004 (N.D. Cal. 2002)
- Pineda v. Bank of America, N.A., 50 Cal.4th 1389 (2010)
- Soto v. Greif Packaging LLC, 2018 WL 1224425 (C.D. Cal. 2018)
- Arias v. Residence Inn by Marriott, 936 F.3d 920 (9th Cir. 2019)