

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Shawn Valandra v. Sur-Ron USA LLC, et al.

Valandra · No. CV-25-02665-PHX-MTL · Decided December 2, 2025

SUMMARY

The United States District Court for the District of Arizona granted Chongqing Qiulong Technology Co.’s motion to dismiss for lack of personal jurisdiction in a products-liability action involving an electric motorcycle. The court held that the plaintiff had not established purposeful availment or that his claims arose out of or related to CQT’s Arizona contacts. The court also denied jurisdictional discovery without prejudice and dismissed CQT without prejudice.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Michael T. Liburdi
JURISDICTION	United States District Court for the District of Arizona
DECIDED	December 2, 2025
DOCKET	CV-25-02665-PHX-MTL
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought Arizona products-liability, negligence, and consumer-fraud claims in state court. Defendant Chongqing Qiulong Technology Co., Ltd. removed the action and moved to dismiss for lack of personal jurisdiction under Federal Rule of Civil Procedure 12(b)(2). Plaintiff separately moved for jurisdictional discovery.
STANDARD OF REVIEW	On a Rule 12(b)(2) motion, the plaintiff bears the burden of establishing that personal jurisdiction is proper. Uncontroverted complaint allegations are accepted as true, but the plaintiff may not rely on bare allegations alone. The district court exercises broad discretion over jurisdictional discovery and may deny it when further discovery would not demonstrate facts sufficient to establish jurisdiction.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order

TOPICS

- personal jurisdiction
- motions to dismiss
- discovery dispute
- products liability
- civil procedure

PRACTICE AREAS

civil procedure

personal jurisdiction

products liability

consumer protection

negligence

QUESTIONS PRESENTED

1. Whether the District of Arizona could exercise specific personal jurisdiction over Chinese motorcycle manufacturer Chongqing Qiulong Technology Co., Ltd. based on its alleged website, dealer-map, distributor, and U.S. market contacts.
2. Whether Valandra's claims arose out of or related to CQT's Arizona-related contacts, including whether the contacts involved the model of motorcycle at issue and existed when the injury occurred.
3. Whether Valandra was entitled to jurisdictional discovery concerning CQT's Arizona activities, distributors, dealers, revenue, marketing, or alleged relationship with Fetchlight.
4. Whether Valandra should be granted leave to amend to cure the jurisdictional deficiency.

HOLDINGS

1. CQT did not purposefully avail itself of the privilege of conducting activities in Arizona. A passive website, dealer listings involving unaffiliated third parties, and generalized U.S. market contacts were insufficient on this record to establish the required Arizona contacts.
2. Valandra failed to establish that his claims arose out of or related to CQT's Arizona contacts because he did not show that the Arizona dealers were part of CQT's distribution network for the e-bike model involved in the accident.
3. The court could not consider post-accrual contacts to establish specific jurisdiction, and Valandra failed to show that the alleged Arizona dealer-map contacts existed when his products-liability cause of action accrued.
4. Valandra was not entitled to jurisdictional discovery because he failed to make a prima facie showing of personal jurisdiction and his requests were based on speculation and unsupported hunches.
5. Amendment would be futile because Valandra did not identify additional facts that could establish personal jurisdiction over CQT; leave to amend was therefore unnecessary even though Valandra did not request it.

KEY QUOTATIONS

“A “passive website” alone does not constitute sufficient purposeful availment to confer jurisdiction.” (at 8)

“The Court therefore holds that CQT has not purposefully availed itself of jurisdiction in Arizona.” (at 11)

“Plaintiff has therefore failed to establish both purposeful availment and the “arise out of or relate to” prong.” (at 16)

“In sum, jurisdictional discovery is unnecessary and “would be little more than a fishing expedition.”” (at 19)

FACTUAL BACKGROUND

In February 2023, Arizona citizen Shawn Valandra purchased an electric motorcycle through a website operated by California-based Sur-Ron USA LLC. He was injured in Arizona about one month later when he alleged that the motorcycle accelerated uncontrollably. The motorcycle was manufactured by Chinese company Chongqing Qiulong Technology Co., Ltd., which shipped it to Luna Cycles in California; Valandra also sued U.S. distributors Sur-Ron USA and Luna Cycles for strict products liability, statutory products liability, consumer fraud, and negligence.

PROCEDURAL HISTORY

Valandra filed suit in Arizona Superior Court after being injured while riding an electric motorcycle. CQT removed the action to the District of Arizona, moved to dismiss for lack of personal jurisdiction, and opposed jurisdictional discovery. The court granted CQT's motion to dismiss without prejudice, denied jurisdictional discovery without prejudice, and concluded that amendment would be futile even though Plaintiff had not requested leave to amend.

DISPOSITION

dismissed

CASES CITED

- Herbal Brands, Inc. v. Photoplaza, Inc., 72 F.4th 1085 (9th Cir. 2023)
- Mavrix Photo, Inc. v. Brand Techs., Inc., 647 F.3d 1218 (9th Cir. 2011)
- Schwarzenegger v. Fred Martin Motor Co., 374 F.3d 797 (9th Cir. 2004)
- Briskin v. Shopify, Inc., 135 F.4th 739 (9th Cir. 2025) (en banc)
- International Shoe Co. v. State of Washington, Int'l Shoe Co. v. Washington, 326 U.S. 310 (1945)
- Walden v. Fiore, Walden v. Fiore, 571 U.S. 277 (2014)
- Lake v. Lake, 817 F.2d 1416 (9th Cir. 1987)
- LNS Enters. LLC v. Cont'l Motors, Inc., 22 F.4th 852 (9th Cir. 2022)
- Davis v. Cranfield Aerospace Sols., Ltd., 71 F.4th 1154 (9th Cir. 2023)
- J. McIntyre Mach., Ltd. v. Nicastro, 564 U.S. 873 (2011)
- Gray & Co. v. Firstenberg Mach. Co., 913 F.2d 758 (9th Cir. 1990)
- Asahi Metal Indus. Co. v. Superior Ct. of Cal., Solano Cnty., 480 U.S. 102 (1987)
- World-Wide Volkswagen Corp. v. Woodson, 444 U.S. 286 (1980)
- Ford Motor Co. v. Montana Eighth Jud. Dist. Ct., 592 U.S. 351 (2021)
- Pebble Beach Co. v. Caddy, 453 F.3d 1151 (9th Cir. 2006)
- Underwood v. O'Reilly Auto Parts, Inc., 2023 WL 1869310 (D. Nev. Feb. 8, 2023)
- Bristol-Myers Squibb Co. v. Superior Ct., 582 U.S. 255 (2017)
- Yamashita v. LG Chem, Ltd., 62 F.4th 496 (9th Cir. 2023)
- Steel v. United States, 813 F.2d 1545 (9th Cir. 1987)
- XMission, L.C. v. Fluent LLC, 955 F.3d 833 (10th Cir. 2020)

- Mack v. A.H. Robins Co., 573 F. Supp. 149 (D. Ariz. 1983), aff'd, 759 F.2d 1482 (9th Cir. 1985)
- Henrietta Mine LLC v. A.M. King Indus. Inc., 2021 WL 1561505 (D. Ariz. Apr. 21, 2021)
- Laub v. U.S. Dep't of Interior, 342 F.3d 1080 (9th Cir. 2003)
- Butcher's Union Local No. 498 v. SDC Inv., Inc., 788 F.2d 535 (9th Cir. 1986)
- Wells Fargo & Co. v. Wells Fargo Express Co., 556 F.2d 406 (9th Cir. 1977)
- Hernandez v. Mimi's Rock Corp., 632 F. Supp. 3d 1052 (N.D. Cal. 2022)
- SmartHealth Inc. v. Chemotechnique MB Diagnostics AB, 2025 WL 1697425 (D. Ariz. June 17, 2025)
- Terracom v. Valley Nat. Bank, 49 F.3d 555 (9th Cir. 1995)
- Rich v. KIS Cal., Inc., 121 F.R.D. 254 (M.D.N.C. 1988)
- Ascon Props., Inc. v. Mobil Oil Co., 866 F.2d 1149 (9th Cir. 1989)
- Foman v. Davis, 371 U.S. 178 (1962)