

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Jose Ismael Arreola Jr. v. General Motors LLC

Arreola v. General Motors LLC · No. 2:25-cv-07819-SB-AGR · Decided October 23, 2025

SUMMARY

The United States District Court for the Central District of California granted Jose Arreola’s motion to remand his Song-Beverly Consumer Warranty Act and Magnuson-Moss Act action against General Motors LLC. The court held that General Motors failed to establish that its removal was timely and remanded the case to Los Angeles County Superior Court, while declining to award attorney’s fees and costs.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Stanley Blumenfeld, Jr.
JURISDICTION	United States District Court for the Central District of California
DECIDED	October 23, 2025
DOCKET	2:25-cv-07819-SB-AGR
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff moved to remand an action removed from California state court, arguing that the removal was untimely. The district court granted remand and denied attorney's fees and costs.
STANDARD OF REVIEW	The removing defendant bears the burden of establishing that removal was proper.
PRECEDENTIAL VALUE	Unknown

TOPICS

- civil procedure
- subject matter jurisdiction
- attorney fees
- costs
- consumer protection

PRACTICE AREAS

- Civil procedure
- Removal and remand
- Consumer warranty litigation
- Attorney's fees and costs

QUESTIONS PRESENTED

1. Whether General Motors met its burden to show that removal was timely and proper.
2. Whether the court should award Plaintiff attorney's fees and costs under 28 U.S.C. § 1447(c).

HOLDINGS

1. General Motors failed to meet its burden to demonstrate that removal was proper, including that the removal was timely; the case therefore had to be remanded to state court.
2. The court declined to exercise its discretion under 28 U.S.C. § 1447(c) to award attorney's fees and costs.

KEY QUOTATIONS

“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)

“For the same reasons as in those cases, Defendant has not met its burden to show that removal was proper.”

FACTUAL BACKGROUND

Jose Arreola filed a state-court action against General Motors asserting claims under California's Song-Beverly Consumer Warranty Act and the federal Magnuson-Moss Act. General Motors waited two months after answering before removing the case, and its notice stated only that it had conducted an unspecified preliminary investigation during the preceding 30 days. The district court found the notice insufficient to establish timely removal.

PROCEDURAL HISTORY

Plaintiff filed claims under California's Song-Beverly Consumer Warranty Act and the federal Magnuson-Moss Warranty Act in state court. General Motors answered and removed the case approximately two months later, invoking diversity jurisdiction. The district court concluded that Defendant had not shown that removal was timely or otherwise proper, remanded the case to the Los Angeles County Superior Court, and declined to award attorney's fees and costs.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The case was remanded to the Los Angeles County Superior Court. Attorney's fees and costs were denied.

CASES CITED

- *Cantero v. General Motors LLC*, No. 2:25-CV-06837-SB-PD, 2025 WL 2637990 (C.D. Cal. July 25, 2025)

OPINION

Jose Ismael Arreola Jr. v. General Motors LLC

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

JOSE ISMAEL ARREOLA JR., Case No. 2:25-cv-07819-SB-AGR Plaintiff,

v. ORDER GRANTING MOTION TO

REMAND [DKT. NO. 16] AND

GENERAL MOTORS LLC, DENYING REQUEST FOR

ATTORNEY'S FEES

Defendant. Plaintiff Jose Arreola 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 two 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. 16. 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