

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Victor Ciardi v. Ford Motor Company

Ciardi v. Ford Motor Co. · No. 2:25-cv-02353 WBS DMC · Decided December 29, 2025

SUMMARY

The United States District Court for the Eastern District of California denied Victor Ciardi’s motion to remand his Song-Beverly Consumer Warranty Act action against Ford Motor Company. The court held that complete diversity existed and that Ford established by a preponderance of the evidence that the amount in controversy exceeded \$75,000, including actual damages and potential civil penalties. The court concluded that the case could remain in federal court.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	William B. Shubb
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 29, 2025
DOCKET	2:25-cv-02353 WBS DMC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff moved to remand a removed California Song-Beverly Consumer Warranty Act action for lack of subject matter jurisdiction, arguing that the amount-in-controversy requirement was not satisfied.
STANDARD OF REVIEW	When the complaint does not make the amount in controversy clear, the removing defendant must establish by a preponderance of the evidence that the amount in controversy exceeds \$75,000. The court considers the face of the pleadings, facts in the removal petition, and summary-judgment-type evidence relevant at the time of removal.
PRECEDENTIAL VALUE	Unknown
PARTIES	Victor Ciardi v. Ford Motor Company

TOPICS

- subject matter jurisdiction
- civil procedure
- consumer protection
- damages

PRACTICE AREAS

federal jurisdiction

removal and remand

consumer warranty law

consumer protection

QUESTIONS PRESENTED

1. Whether the amount in controversy exceeded the \$75,000 threshold for diversity jurisdiction under 28 U.S.C. § 1332(a).
2. Whether the requested Song-Beverly Act civil penalties could be included in calculating the amount in controversy for removal jurisdiction.
3. Whether the case should be remanded to California state court for lack of subject matter jurisdiction.

HOLDINGS

1. Ford established by a preponderance of the evidence that the amount in controversy exceeded \$75,000.
2. Potential civil penalties under California Civil Code § 1794(c) may be included in the amount in controversy when the complaint expressly seeks them and the allegations support their potential award.

KEY QUOTATIONS

“Where, as here, it is unclear from the face of the complaint whether the amount in controversy exceeds \$75,000, the removing defendant bears the burden of establishing, by a preponderance of the evidence, that the amount in controversy exceeds the jurisdictional threshold.” (at 1)

“The amount in controversy is “not a prospective assessment of defendant's liability.”” (at 2)

“The actual damages and civil penalty place the amount in controversy well over the jurisdictional threshold of \$75,000.” (at 3)

FACTUAL BACKGROUND

Ciardi brought vehicular warranty claims under California's Song-Beverly Consumer Warranty Act concerning a vehicle purchased for \$29,341.10. Ford calculated actual damages as \$28,926.41 after a mileage offset, and Ciardi sought civil penalties of up to twice actual damages based on alleged willful violations of the Act. The resulting potential recovery was \$86,779.23 before considering attorney fees or other damages.

PROCEDURAL HISTORY

Ford removed the action from California state court based on diversity jurisdiction. Ciardi moved to remand. The district court decided the motion on the papers without oral argument and denied the motion, concluding that Ford established by a preponderance of the evidence that more than \$75,000 was in controversy.

DISPOSITION

dismissed

CASES CITED

- St. Paul Mercury Indem. Co. v. Red Cab Co., 303 U.S. 283, 289 (1938)
- Kroske v. U.S. Bank Corp., 432 F.3d 976, 980 (9th Cir. 2005)
- Chavez v. JPMorgan Chase & Co., 888 F.3d 413, 416 (9th Cir. 2018)
- Caterpillar Inc. v. Lewis, 519 U.S. 61, 68 (1996)
- Lewis v. Verizon Commc'ns, Inc., 627 F.3d 395, 400 (9th Cir. 2010)
- Gonzales, 840 F.3d at 648-49
- Martinez v. Ford Motor Co., No. 2:25-cv-415 WBS CSK, 2025 WL 1186749, at *2 (E.D. Cal. Apr. 24, 2025)
- Zawaideh v. BMW of N. Am., LLC, No. 17-cv-2151 W (KSC), 2018 WL 1805103, at *2 (S.D. Cal. Apr. 17, 2018)
- Brooks v. Ford Motor Co., No. 20-cv-302 DSF KKK, 2020 WL 2731830, at *2 (C.D. Cal. May 26, 2020)
- Rahman v. FCA US LLC, No. 2:21-cv-02584 SB JCx, 2021 WL 2285102, at *3 (C.D. Cal. June 4, 2021)

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