

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Suren Grigorian, et al. v. Armen Hambardzumyan, et al.

Grigorian v. Hambardzumyan · No. 2:25-cv-07294-SSC · Decided January 9, 2026

SUMMARY

The Central District of California grants Plaintiffs’ motion to remand a motor-vehicle negligence action to state court. The court concludes that complete diversity is absent because Plaintiffs and the remaining defendant, Armen Hambardzumyan, are alleged to be California residents. The court also notes that Hertz had been voluntarily dismissed and that the remand motion was effectively unopposed.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Stephanie S. Christensen
JURISDICTION	United States District Court for the Central District of California
DECIDED	January 9, 2026
DOCKET	2:25-cv-07294-SSC
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiffs moved to remand a removed motor-vehicle negligence action to Los Angeles County Superior Court for lack of complete diversity. Hertz, the removing defendant, was voluntarily dismissed before the remand motion was decided.
STANDARD OF REVIEW	The removing party bears the burden of establishing that removal is proper, and removal jurisdiction is strictly construed in favor of remand. If the district court lacks subject matter jurisdiction before final judgment, remand is required under 28 U.S.C. § 1447(c).
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown
PARTIES	Suren Grigorian, Hayk Petrosyan v. Armen Hambardzumyan, The Hertz Corporation, Does 1-20

TOPICS

- subject matter jurisdiction
- civil procedure
- negligence
- personal injury

PRACTICE AREAS

civil procedure

federal jurisdiction

removal and remand

negligence

personal injury

QUESTIONS PRESENTED

1. Whether the district court had diversity subject matter jurisdiction where the complaint alleged that both plaintiffs and the remaining defendant were California citizens.
2. Whether the action should be remanded after the removing defendant was voluntarily dismissed and could no longer establish complete diversity.

HOLDINGS

1. Complete diversity did not exist because the complaint alleged that the plaintiffs and the remaining defendant, Armen Hambardzumyan, were California citizens.
2. The action had to be remanded because the court lacked subject matter jurisdiction.

KEY QUOTATIONS

“Because there is no diversity of the parties, the Court lacks subject matter jurisdiction over this action.”
(Section III)

FACTUAL BACKGROUND

Plaintiffs, alleged California citizens, sued Armen Hambardzumyan and The Hertz Corporation for negligence arising from a motor-vehicle accident in which Hambardzumyan allegedly rear-ended plaintiffs while driving a Hertz rental vehicle. The complaint alleged that Hambardzumyan was a California resident and sought damages exceeding the state-court jurisdictional minimum. Hertz removed based on diversity jurisdiction, but Hertz was later dismissed, leaving Hambardzumyan as the only remaining defendant.

PROCEDURAL HISTORY

Plaintiffs filed the negligence action in Los Angeles County Superior Court on June 27, 2025. Hertz removed the action on August 7, 2025, invoking diversity jurisdiction. Plaintiffs moved to remand, and Hambardzumyan was later personally served. Plaintiffs voluntarily dismissed Hertz on December 10, 2025. The district court granted the remand motion and remanded the matter to state court.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The matter was remanded to the state court, Los Angeles County Superior Court.

CASES CITED

- Hunter v. Philip Morris USA, 582 F.3d 1039, 1042 (9th Cir. 2009)

- In re Digimarc Corp. Derivative Litig., 549 F.3d 1223, 1234 (9th Cir. 2008)
- Abrego Abrego v. The Dow Chem. Co., 443 F.3d 676, 684 (9th Cir. 2006) (per curiam)
- Harris v. Bankers Life & Cas. Co., 425 F.3d 689, 698 (9th Cir. 2005)
- Gemaehlich v. Air & Liquid Sys. Corp., No. 22-cv-07518-CRB, 2023 WL 2783668, at *2 (N.D. Cal. Apr. 5, 2023)
- Gould v. Mut. Life Ins. Co. of N.Y., 790 F.2d 769, 773 (9th Cir. 1986)

OPINION

Suren Grigorian, et al. v. Armen Hambardzumyan, et al.

PER CURIAM.

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:25-cv-07294-SSC Date: January 9, 2026 Title Suren Grigorian, et al. v. Armen Hambardzumyan, et al. Present: The Honorable Stephanie S. Christensen, U.S. Magistrate Judge Teagan Snyder n/a Deputy Clerk Court Reporter / Recorder Attorneys Present for Plaintiffs: Attorneys Present for Defendants: None Present None Present Proceedings: (IN CHAMBERS) Order Granting Motion to Remand (ECF 9) Before the Court is Plaintiffs’ motion to remand this car-accident case to state court. (ECF 9.) To resolve the motion, the Court must determine whether dismissed Defendant The Hertz Corporation properly removed the action to federal court. Because complete diversity does not exist between the parties, Plaintiffs’ motion is GRANTED. I Plaintiffs Suren Grigorian and Hayk Petrosyan initially filed this action in Los Angeles County Superior Court on June 27, 2025. (ECF 1- 1.) Plaintiffs name Armen Hambardzumyan and The Hertz

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:25-cv-07294-SSC Date: January 9, 2026 Title Suren Grigorian, et al. v. Armen Hambardzumyan, et al. Corporation (Hertz) and 20 Does as defendants.¹ The complaint alleges that Plaintiffs are California citizens and that, upon information and belief, Hambardzumyan “was and is a resident of the County of Los Angeles, State of California.” (Id. at 3.) The complaint alleges negligence arising out of a motor vehicle accident in which Plaintiffs were rear-ended by Hambardzumyan, who was driving a Hertz rental vehicle. (Id. at 3–4.) For their injuries, Plaintiffs seek general damages “in a sum well in excess of the jurisdictional minimum” of Los Angeles County Superior Court, special damages “according to proof at the time of trial[,]” interest, and costs of suit. (Id. at 7–8.) Although the complaint does not allege or pray for a specific damages amount, Plaintiffs’ statement of damages (served upon Hertz and attached to its notice of removal) alleges general damages of over \$10 million. (ECF 1-2 at 28.) On August 7, 2025, Hertz timely removed this action to federal court based on diversity jurisdiction pursuant to 28 U.S.C. § 1332. (ECF 1.) Hertz alleged in its notice of removal that Plaintiffs are both California citizens, Hertz is incorporated in Delaware and has its headquarters in Rhode Island, and that Hertz “lacks sufficient

information or knowledge regarding Defendant Hambardzumyan's citizenship." (Id. at 2.) Hertz also asserted in the notice that Hambardzumyan has not been served. (Id. at 3.) Hertz alleged that the amount in controversy exceeds \$75,000. (Id.) In support, Hertz asserted that Plaintiff Grigorian has "medical specials of approximately \$59,000, and requires cervical spine surgery at an estimated cost of 1 In determining whether a civil action is removable on the basis of diversity jurisdiction, the citizenship of defendants sued under fictitious names is disregarded. 28 U.S.C. § 1441(b)(1).

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:25-cv-07294-SSC Date: January 9, 2026 Title Suren Grigorian, et al. v. Armen Hambardzumyan, et al. \$260,000, in addition to continued physical therapy and orthopedic care." (Id.) Hertz also pointed to Plaintiffs' statement of damages alleging damages of over \$10 million. (Id.) On September 8, 2025, Plaintiffs filed this motion to remand. (ECF 9.) Plaintiffs assert that Hertz improperly removed the action to federal court because there is not complete diversity between the parties. (Id. at 2.) Hertz filed an opposition (ECF 15), to which Plaintiffs timely replied (ECF 16). On November 10, 2025, Plaintiffs filed a status report regarding service of Hambardzumyan that indicated that Hambardzumyan was personally served on October 23, 2025. (ECF 18-1 at 1.) On December 10, 2025, Plaintiffs filed a notice of voluntary dismissal, dismissing Hertz from the complaint. (ECF 21.) The Court finds the matter suitable for disposition without oral argument. Fed. R. Civ. P. 78(b); L.R. 7-15. II In general, defendants may remove any case filed in state court over which the federal district courts have original jurisdiction. 28 U.S.C. § 1441(a). An action may be removed based on diversity jurisdiction. *Hunter v. Philip Morris USA*, 582 F.3d 1039, 1042 (9th Cir. 2009). A court has diversity jurisdiction if the amount in controversy exceeds \$75,000 and the action is between citizens of different states. 28 U.S.C. § 1332(a). Diversity jurisdiction does not exist unless there is complete diversity: each defendant must be a citizen of a different state from each plaintiff. *In re Digimarc Corp. Derivative Litig.*, 549 F.3d 1223, 1234 (9th Cir. 2008).

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:25-cv-07294-SSC Date: January 9, 2026 Title Suren Grigorian, et al. v. Armen Hambardzumyan, et al. The removing party has the burden to show that removal is proper. *Abrego v. The Dow Chem. Co.*, 443 F.3d 676, 684 (9th Cir. 2006) (per curiam). To protect the jurisdiction of state courts, removal jurisdiction is strictly construed in favor of remand. *Harris v. Bankers Life & Cas. Co.*, 425 F.3d 689, 698 (9th Cir. 2005). If at any time before final judgment it appears that the district court lacks subject matter jurisdiction, the case "shall be remanded." 28 U.S.C. § 1447(c).

III

Although the procedural posture of this motion is unusual, the central question before the Court is

simple: Does the Court have diversity jurisdiction over this case? Plaintiffs move to remand, arguing that there is not complete diversity between the parties, as the complaint alleges that Plaintiffs and Hambardzumyan are California citizens. Because Hertz has been dismissed from this action, its motion in opposition effectively is withdrawn. See *Gemaehlich v. Air & Liquid Sys. Corp.*, No. 22-cv- 07518-CRB, 2023 WL 2783668, at *2 (N.D. Cal. Apr. 5, 2023) (describing opposition to remand filed by defendant that was voluntarily dismissed prior to determination of remand motion as “now withdrawn”). Further, Hambardzumyan, the only remaining defendant, has not opposed the motion or otherwise appeared in this action. Thus, the motion to remand effectively is unopposed. According to the complaint, Plaintiffs and Hambardzumyan are California “residents.” (ECF 1-1 at 3.) Thus, the non-diverse nature of the parties is clear from the face of the complaint. See *Gould v. Mut. Life Ins. Co. of N.Y.*, 790 F.2d 769, 773 (9th Cir. 1986) (“Diversity is

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 2:25-cv-07294-SSC Date: January 9, 2026 Title Suren Grigorian, et al. v. Armen Hambardzumyan, et al. generally determined from the face of the complaint.”); *In re Digimarc Corp. Derivative Litig.*, 549 F.3d at 1234. Further, as noted above, it is the removing party’s burden to show that removal is proper. See *Abrego Abrego*, 443 F.3d at 684. Because Hertz has been dismissed and its opposition constructively withdrawn, the burden to show removal cannot be met. Because there is no diversity of the parties, the Court lacks subject matter jurisdiction over this action. Accordingly, the remand motion is GRANTED, and this matter is REMANDED to the state court. IT IS SO ORDERED. Initials of Preparer ts