

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

Jeffrey Hill, individually and on behalf of all others similarly situated
v. Airgas USA LLC, et al.

Hill v. Airgas USA LLC · No. 2:25-cv-01531 · Decided December 16, 2025

SUMMARY

The United States District Court for the Western District of Washington granted Jeffrey Hill’s motion to remand his putative class action alleging violations of Washington’s Equal Pay and Opportunities Act pay-transparency requirements. The court held that Hill’s allegations of viewing a job posting and applying without interviewing, negotiating salary, or experiencing other concrete harm did not establish Article III standing. The court remanded the action to King County Superior Court because it was not absolutely certain that Washington state courts would dismiss the claims.

CASE DETAILS

COURT	United States District Court for the Western District of Washington
WRITING FOR THE COURT	Tiffany M. Cartwright
JURISDICTION	United States District Court for the Western District of Washington
DECIDED	December 16, 2025
DOCKET	2:25-cv-01531
DISPOSITION	remanded
PROCEDURAL POSTURE	Defendants removed plaintiff's putative class action from King County Superior Court to federal court. Plaintiff moved to remand, arguing that he lacked Article III standing and that defendants had not established federal jurisdiction under CAFA or diversity jurisdiction.
STANDARD OF REVIEW	The court evaluated subject-matter jurisdiction and Article III standing de novo as threshold jurisdictional issues; the removing defendants bore the applicable burden to establish federal jurisdiction.
PRECEDENTIAL VALUE	Unknown

TOPICS

- standing
- subject matter jurisdiction
- civil procedure
- employment law
- statutory interpretation

PRACTICE AREAS

civil procedure

constitutional law

employment law

statutory interpretation

QUESTIONS PRESENTED

1. Whether Hill alleged an injury in fact sufficient to establish Article III standing.
2. Whether the absence of Article III standing required remand of the removed action to state court.
3. Whether the narrow futility exception permitted the federal court to dismiss rather than remand because a Washington state court would necessarily dismiss the action.
4. Whether the court should reach defendants' arguments concerning CAFA and diversity jurisdiction.

HOLDINGS

1. Hill lacked Article III standing because his complaint alleged only a statutory violation and did not allege concrete harm beyond applying for a job without interviewing, negotiating salary, or otherwise experiencing injury.
2. When a removed case lacks Article III standing and therefore lacks federal subject-matter jurisdiction, the district court must remand the case to state court.
3. The court declined to dismiss under the futility exception because it was not absolutely certain that a Washington state court would dismiss Hill's claims after remand.

KEY QUOTATIONS

“Because Hill lacks standing under Article III of the U.S. Constitution to pursue his claims in federal court—but may pursue them in Washington state court—the motion is GRANTED, and this case is REMANDED to King County Superior Court.” (at 1)

“This is not enough to establish standing under Article III, and without Article III standing, the Court does not have subject matter jurisdiction.” (at 26)

“A ‘narrow ‘futility’ exception to this general rule’ allows a district court to dismiss the case rather than remand it ‘if there is ‘absolute certainty’ that the state court would dismiss the action following remand.’” (at 27)

“For the reasons explained above, Hill’s motion to remand is GRANTED.” (at 29)

FACTUAL BACKGROUND

Hill brought a putative class action under Washington's Equal Pay and Opportunities Act, alleging that Airgas USA LLC, Airgas Specialty Products, Inc., and Airgas Safety, Inc. failed to disclose required wage and compensation information in a job posting. Hill applied for the job but did not interview, engage in salary negotiations, or otherwise experience concrete harm. Defendants removed the action to federal court under CAFA and diversity jurisdiction.

PROCEDURAL HISTORY

Hill filed the action in King County Superior Court on July 22, 2025, alleging violations of Washington's Equal Pay and Opportunities Act pay-transparency provision. Defendants removed the action on August 12, 2025, invoking CAFA and diversity jurisdiction. The federal court granted Hill's motion to remand because he had not alleged a concrete injury sufficient for Article III standing and because dismissal under the futility exception was not warranted.

DISPOSITION

remanded

REMAND INSTRUCTIONS

All claims brought by Hill were remanded to the Superior Court of King County, Washington. The clerk was directed to mail a certified copy of the order to the state-court clerk, transmit the record, and close the federal case after remand.

CASES CITED

- Perry v. Newsom, 18 F.4th 622, 630 (9th Cir. 2021)
- Lujan v. Defs. of Wildlife, 504 U.S. 555, 561 (1992)
- Spokeo v. Robins, 578 U.S. 330, 338, 341 (2016)
- TransUnion LLC v. Ramirez, 594 U.S. 413, 431 (2021)
- Polo v. Innoventions Int'l, LLC, 833 F.3d 1193, 1196-98 (9th Cir. 2016)
- Dart Cherokee Basin Operating Co., LLC v. Owens, 574 U.S. 81, 84-85, 88-89 (2014)
- Robins v. Spokeo, Inc., 867 F.3d 1108, 1112 (9th Cir. 2017)
- Moquete v. GNC Holdings, LLC, No. CV24-05393 BHS, 2024 WL 4553690, at *2 (W.D. Wash. Oct. 23, 2024)
- Hill v. Spirit Halloween Superstores LLC, No. C24-1644 TSZ, 2024 WL 5117460, at *2 (W.D. Wash. Dec. 16, 2024)
- Atkinson v. Aaron's LLC, 733 F. Supp. 3d 1056, 1071 (W.D. Wash. 2024), modified on reconsideration, No. 23-CV-1742-BJR, 2024 WL 3199860 (W.D. Wash. June 26, 2024)
- Floyd v. DoorDash, Inc., No. 23-CV-1740-BJR, 2024 WL 2325128, at *2 (W.D. Wash. May 22, 2024)
- Spencer v. Total Renal Care, Inc., No. C24-1359RSM, 2024 WL 4834901, at *3 (W.D. Wash. Nov. 20, 2024)
- David v. Herc Rentals Inc., No. 24-CV-175-BJR, 2024 WL 2133369, at *5 (W.D. Wash. May 10, 2024)
- Perry v. Boeing Co., No. 2:24-CV-01000-RSL, 2024 WL 4867023, at *2 (W.D. Wash. Nov. 22, 2024)
- Eggleston v. Bruckner Truck Sales Inc., No. C25-1467JLR, 2025 WL 3153503, at *3 (W.D. Wash. Nov. 12, 2025)
- Milito v. Snap Inc., No. 2:25-CV-00387-MJP, 2025 WL 1587284, at *4 (W.D. Wash. June 5, 2025)
- Wright v. HP Inc., No. 2:24-CV-01261-MJP, 2024 WL 4678268, at *4 (W.D. Wash. Nov. 5, 2024)
- Floyd v. Photon Infotech Inc., No. C24-01372-KKE, 2025 WL 3442736, at *4 (W.D. Wash. Dec. 1, 2025)
- Kent v. HCL Techs. Ltd., No. C24-1332 MJP, 2024 WL 4825383, at *3 (W.D. Wash. Nov. 19, 2024)

- Spencer v. Walmart Inc., No. 23-CV-1793-BJR, 2025 WL 2910569, at *4 (W.D. Wash. Oct. 14, 2025)
- Spencer v. Jeld-Wen Inc., No. 23-CV-1757-BJR, 2024 WL 4566581, at *3 (W.D. Wash. Oct. 24, 2024)
- Spencer v. RXO, Inc., No. 23-CV-1760-BJR, 2024 WL 2399974, at *2 (W.D. Wash. May 23, 2024)
- Kent v. Tech Mahindra (Americas) Inc., No. 24-CV-1168-BJR, 2025 WL 2810715, at *4 (W.D. Wash. Oct. 3, 2025)
- Hein v. Crash Champions, LLC, No. C24-1176 LK TSZ, 2024 WL 5039900, at *2 (W.D. Wash. Dec. 9, 2024)
- Liu v. Veeva Sys. Inc., No. 23-CV-1784-BJR, 2024 WL 4263176, at *3 (W.D. Wash. Sept. 23, 2024)
- Watson v. Deacon Constr., LLC, No. 24-CV-82-BJR, 2024 WL 3579912, at *2 (W.D. Wash. July 30, 2024)
- Atkinson v. Penney OpCo LLC, No. 23-CV-1806-BJR, 2024 WL 3579910, at *2 (W.D. Wash. July 30, 2024)
- Hill v. Les Schwab Tire Ctrs. of Wash. LLC, No. 24-CV-425-BJR, 2025 WL 3062646, at *5 (W.D. Wash. Oct. 31, 2025)
- Hill v. ACV Auctions Inc., No. C25-616 MJP, 2025 WL 1582249, at *3 (W.D. Wash. June 4, 2025)
- Spencer v. Vera Whole Health, Inc., No. C24-337 MJP, 2024 WL 3276578, at *2 (W.D. Wash. July 2, 2024)
- Branson v. Washington Fine Wine & Spirits, LLC, 5 Wn.3d 289, 292, 295-97, 304-05 (2025)