

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Theresa Miner v. L3Harris Maritime Power and Energy Solutions,
Inc.

Case No. SA CV 25-00676-DFM · No. SA CV 25-00676-DFM; 8:25-cv-00676 · Decided July 2, 2025

SUMMARY

The United States District Court for the Central District of California granted Theresa Miner’s motions to remand and for leave to amend her complaint. The court permitted joinder of Miner’s former supervisor, Carmen Henry, a California citizen, concluding that the proposed claims under California Labor Code section 558.1 were potentially viable and that joinder would destroy diversity jurisdiction. The court therefore remanded the action to state court.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Douglas F. McCormick
JURISDICTION	United States District Court for the Central District of California
DECIDED	July 2, 2025
DOCKET	SA CV 25-00676-DFM; 8:25-cv-00676
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff moved to remand a diversity action to state court and sought leave under Federal Rule of Civil Procedure 15 to amend the complaint to add her California supervisor, Carmen Henry, as a defendant. Defendant opposed the motions, arguing that the proposed joinder was fraudulent and intended to defeat federal jurisdiction.
STANDARD OF REVIEW	The court exercised discretion under 28 U.S.C. § 1447(e) and Rule 15(a) to assess whether to permit a post-removal amendment adding a nondiverse defendant. On the fraudulent-joinder issue, the court applied the rule that remand is required if there is any possibility that a state court could find that the complaint states a cause of action against the nondiverse defendant.
PRECEDENTIAL VALUE	unpublished district court order; persuasive value only
PARTIES	Theresa Miner v. L3Harris Maritime Power and Energy Solutions, Inc.

TOPICS

joinder subject matter jurisdiction civil procedure wage and hour ada / disability

PRACTICE AREAS

civil procedure employment law wage and hour disability discrimination

QUESTIONS PRESENTED

1. Whether the court should permit Miner to amend her complaint under 28 U.S.C. § 1447(e) and Rule 15(a) to join nondiverse defendant Carmen Henry.
2. Whether Henry was fraudulently joined because there was no possibility that Miner could state a claim against her under California Labor Code § 558.1.
3. Whether joinder of Henry destroyed complete diversity and required remand under 28 U.S.C. § 1447(c).

HOLDINGS

1. Joinder of Carmen Henry should be permitted because the relevant § 1447(e) factors, considered together, weighed in favor of amendment and joinder.
2. Henry was not shown to have been fraudulently joined because L3Harris did not establish that there was absolutely no possibility that Miner could state a claim against Henry in state court.
3. Permitting joinder of Henry, a California citizen like Miner, destroyed complete diversity, requiring remand to state court for lack of subject matter jurisdiction.

KEY QUOTATIONS

“a federal court must find that a defendant was properly joined and remand the case to state court if there is a possibility that a state court would find that the complaint states a cause of action against any of the [non-diverse] defendants.” (Discussion § IV.E)

“must prove that there is absolutely no possibility that the plaintiff will be able to establish a cause of action” (Discussion § IV.E)

“Section 1332 requires complete diversity of citizenship; each of the plaintiffs must be a citizen of a different state than each of the defendants.” (Discussion § IV.G)

FACTUAL BACKGROUND

Miner worked as a manufacturing shift lead for L3Harris in Anaheim, California, and developed bilateral carpal tunnel syndrome during her employment. After medical leave, she returned with restrictions involving lifting, typing breaks, and an ergonomic workstation, but alleged that L3Harris failed to accommodate those restrictions and retaliated after she complained. She also alleged that her direct supervisor, Carmen Henry, directed or permitted interruptions of Miner’s meal and rest breaks and failed to correct those violations. Miner alleged that these conditions contributed to an intolerable work environment and her resignation.

PROCEDURAL HISTORY

Miner filed the action in Orange County Superior Court on January 14, 2025. L3Harris answered and removed the action on April 3, 2025, invoking diversity jurisdiction under 28 U.S.C. § 1332(a). Miner moved to remand based on her proposed joinder of California citizen Carmen Henry; the court ordered her to file a formal motion for leave to amend and proposed amended complaint. The court granted both motions, permitted joinder, and remanded the action to the Orange County Superior Court.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The action shall be remanded to the Superior Court of the State of California for the County of Orange. The Clerk of Court shall send a certified copy of the order to the state court.

CASES CITED

- Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 377 (1994)
- Murphy v. American Gen. Life Ins. Co., 74 F. Supp. 3d 1267, 1278, 1286 (C.D. Cal. 2015)
- McGrath v. Home Depot, 298 F.R.D. 601, 607 (S.D. Cal. 2014)
- Newcombe v. Adolf Coors Co., 157 F.3d 686, 691 (9th Cir. 1998)
- Walker v. Global Mail, Inc., No. 21-6546, 2021 WL 4594024, at *2 (C.D. Cal. Oct. 6, 2021)
- IBC Aviation Servs., Inc. v. Compania Mexicana de Aviacion, S.A. de C.V., 125 F. Supp. 2d 1008, 1011, 1022 (N.D. Cal. 2000)
- Clinco v. Roberts, 41 F. Supp. 2d 1080, 1082–83 (C.D. Cal. 1999)
- Lopez v. General Motors Corp., 697 F.2d 1328, 1332 (9th Cir. 1983)
- Crippen v. International Paper Co., No. 23-1107, 2024 WL 1181367, at *4, *8–9 (E.D. Cal. Mar. 19, 2024)
- Aguilar v. Linn Star Transfer, Inc., No. 19-01162, 2019 WL 2368628, at *3 (N.D. Cal. June 5, 2019)
- Reyes v. FCA US LLC, No. 20-00833, 2020 WL 7224286, at *5, *8 (E.D. Cal. Dec. 8, 2020)
- Walpert v. Jaguar Land Rover North America, No. 18-8998, 2018 WL 6855985, at *3 (C.D. Cal. Dec. 17, 2018)
- Lara v. Bandit Industries, Inc., No. 12-02459, 2013 WL 1155523, at *3 (E.D. Cal. Mar. 19, 2013)
- Yang v. Swissport USA, Inc., No. 09-03823, 2010 WL 2680800, at *4 (N.D. Cal. July 6, 2010)
- Calderon v. Lowe’s Home Centers, LLC, No. 15-01140, 2015 WL 3889289, at *5 (C.D. Cal. June 24, 2015)
- Forward-Rossi v. Jaguar Land Rover North America, No. 16-00949, 2016 WL 3396925, at *4 (C.D. Cal. June 13, 2016)
- Gralnik v. DXC Technology, Inc., No. 21-7436, 2021 WL 5203333, at *4 (C.D. Cal. Nov. 8, 2021)
- Stout v. International Business Machines Corp., No. 16-4914, 2016 WL 4528958, at *8 (C.D. Cal. Aug. 30, 2016)
- Hunter v. Philip Morris USA, 582 F.3d 1039, 1044, 1046 (9th Cir. 2009)
- Smallwood v. Illinois Central Railroad Co., 385 F.3d 568, 573 (5th Cir. 2004)

- *White v. Ultramar, Inc.*, 21 Cal. 4th 563, 567, 577 (1999)
- *Ramirez v. Quad Graphics, Inc.*, No. 23-0062, 2023 WL 3254979, at *10 (C.D. Cal. May 4, 2023)
- *Kendrick v. Mindlance, Inc.*, No. 23-9037, 2024 WL 709188, at *4–5 (C.D. Cal. Feb. 21, 2024)
- *King v. U.S. Bank National Ass’n*, 53 Cal. App. 5th 675, 713–14 (2020)
- *Abdelmalak v. ReOpen Diagnostics, LLC*, No. 24-01365, 2024 WL 4188284, at *5 (C.D. Cal. Sept. 13, 2024)
- *Waterman v. Wells Fargo & Co.*, No. 17-7190, 2018 WL 287171, at *7 (C.D. Cal. Jan. 4, 2018)
- *Gonzalez v. Sheraton Operating Corp.*, No. 20-8785, 2020 WL 7042817, at *2 (C.D. Cal. Dec. 1, 2020)
- *Gonzalez v. Ford Motor Company*, No. 21-6764, 2021 WL 4786452, at *4 (C.D. Cal. Oct. 14, 2021)
- *Morris v. Princess Cruises, Inc.*, 236 F.3d 1061, 1067 (9th Cir. 2001)

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