

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Mark Glinoga, on behalf of himself and all others similarly situated v.
Sullivan Entertainment Inc., Sullivan Home Entertainment Limited,
Sullivan Entertainment International Inc., and Sullivan
Entertainment Group Inc.

Glinoga · No. 25CV0707-GPC(SBC) · Decided October 17, 2025

SUMMARY

The United States District Court for the Southern District of California addresses Plaintiff Mark Glinoga’s response to an order to show cause concerning subject matter jurisdiction, personal jurisdiction, and venue. The court finds that Plaintiff explained subject matter and personal jurisdiction, concludes that venue objections were waived by Defendants, and directs Plaintiff to file an amended complaint correcting clerical errors by October 21, 2025.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Gonzalo P. Curiel
JURISDICTION	United States District Court for the Southern District of California
DECIDED	October 17, 2025
DOCKET	25CV0707-GPC(SBC)
DISPOSITION	other
PROCEDURAL POSTURE	After issuing an order to show cause why the action should not be dismissed for lack of subject matter jurisdiction, personal jurisdiction, and venue, the court considered Plaintiff's response and request for leave to amend clerical errors in the complaint.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Mark Glinoga, on behalf of himself and all others similarly situated v. Sullivan Entertainment Inc., Sullivan Home Entertainment Limited, Sullivan Entertainment International Inc., Sullivan Entertainment Group Inc.

TOPICS

venue

subject matter jurisdiction

personal jurisdiction

motion to amend

civil procedure

PRACTICE AREAS

civil procedure

commercial litigation

QUESTIONS PRESENTED

1. Whether the complaint adequately established subject matter jurisdiction.
2. Whether the court had personal jurisdiction over Defendants.
3. Whether venue was proper in the Southern District of California or, if improper, had been waived by Defendants.
4. Whether Plaintiff should be permitted to amend the complaint to correct clerical errors concerning jurisdiction and venue.

HOLDINGS

1. Plaintiff adequately explained the bases for subject matter jurisdiction and personal jurisdiction over Defendants, so dismissal on those grounds was not warranted at that stage.
2. Although Plaintiff had not shown that venue was proper in the Southern District of California, venue had been waived by Defendants because venue is waivable when not timely raised in the first defensive motion or answer.
3. The complaint did not establish venue under § 1391(b)(1) because it did not allege that one Defendant resided in the Southern District of California and that all Defendants were residents of California.
4. Plaintiff was directed to file an amended complaint correcting the clerical errors concerning subject matter jurisdiction, personal jurisdiction, and venue by October 21, 2025.

KEY QUOTATIONS

“Plaintiff has not shown venue is proper in this district, but the Court concludes it has been waived by Defendants.” (1)

FACTUAL BACKGROUND

The complaint concerned claims brought by Mark Glinoga on behalf of himself and a putative class against four Sullivan entities. The complaint referred to the Southern District of New York in connection with jurisdiction and venue, which Plaintiff characterized as a scrivener's error. The complaint alleged that a substantial part of the relevant events occurred in Inglewood, California, within the Central District of California, and alleged that Defendants' registered address was in Ontario, Canada.

PROCEDURAL HISTORY

On October 14, 2025, the court ordered Plaintiff to show cause why the case should not be dismissed for lack of subject matter jurisdiction, personal jurisdiction, and venue. Plaintiff responded on October 17, 2025, explaining that references to the Southern District of New York in the complaint were scrivener's errors and requesting

leave to amend. The court accepted Plaintiff's explanation concerning subject matter and personal jurisdiction, concluded that venue had been waived by Defendants, and directed Plaintiff to file an amended complaint correcting the clerical errors.

DISPOSITION

other

CASES CITED

- Leroy v. Great W. United Corp., 443 U.S. 173, 180 (1979)
- Pratt v. Rowland, 769 F. Supp. 1128, 1132 (N.D. Cal. 1991)

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