

**UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA**

Aviator Nation, Inc. v. Allianz Global Risks US Insurance Co.

Aviator Nation · No. CV 25-10484-DMG (ADSx) · Decided November 5, 2025

OPINION

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES—GENERAL Case No. CV 25-10484-DMG (ADSx) Date November 5, 2025 Title Aviator Nation, Inc. v. Allianz Global Risks US Insurance Co. Page 1 of 2 Present: The Honorable DOLLY M. GEE, CHIEF UNITED STATES DISTRICT JUDGE DEREK DAVIS NOT REPORTED Deputy Clerk Court Reporter Attorneys Present for Plaintiff(s) Attorneys Present for Defendant(s) None Present None Present Proceedings: IN CHAMBERS—ORDER TO SHOW CAUSE WHY THIS ACTION SHOULD NOT BE DISMISSED FOR LACK OF SUBJECT MATTER JURISDICTION On October 31, 2025, Plaintiff Aviator Nation, Inc. filed a Complaint against Defendant Allianz Global Risks U.S. Insurance Company.

[Doc. # 1 (“Compl.”).] Plaintiff alleges three causes of action: (1) declaratory relief – duty to defend; (2) breach of contract; and (3) breach of the covenant of good faith and fair dealing. The Complaint arises out of an insurance coverage dispute relating to an underlying trademark dilution lawsuit filed against Plaintiff in the District of Oregon, that Defendant allegedly has a duty to defend.

Plaintiff asserts diversity jurisdiction under 28 U.S.C. section 1332. Compl. at ¶ 4. Under 28 U.S.C. section 1332(a)(1), the Court has original jurisdiction over a civil action where “the matter in controversy exceeds the sum or value of \$75,000” and there is complete diversity of citizenship between the parties. 28 U.S.C. § 1332(a)(1). “The party seeking to invoke the district court’s diversity jurisdiction always bears the burden of both pleading and proving diversity jurisdiction.” *NewGen, LLC v. Safe Cig, LLC* 840 F.3d 606, 613–14 (9th Cir.

2016). When a plaintiff originally files in federal court, the amount in controversy is determined from the face of the pleadings. *Rainero v. Archon Corp.*, 844 F.3d 832, 840 (9th Cir. 2016). Plaintiff has alleged insufficient facts in its Complaint for the Court to determine that the amount in controversy exceeds \$75,000. Other than a conclusory statement that the “amount in controversy exceeds the sum or value of \$75,000 exclusive of interests and costs,” the Complaint does not otherwise appear to provide any factual basis to support the amount in damages that Plaintiff seeks.

Compl. at ¶¶ 5, 171. For example, the Complaint provides no indication of how much Plaintiff has incurred in defense costs in the underlying action for which it seeks reimbursement. // UNITED

STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES—
GENERAL Case No. CV 25-10484-DMG (ADSx) Date November 5, 2025 Title Aviator Nation,
Inc. v. Allianz Global Risks US Insurance Co. Page 2 of 2 Plaintiff is hereby ORDERED TO
SHOW CAUSE why this action should not be dismissed without prejudice for lack of subject
matter jurisdiction.

Plaintiff shall file a response no later than November 20, 2025 date. Defendant may file its
response, if any, by December 5, 2025. Failure to file a timely satisfactory response will result in
the dismissal of this action for lack of jurisdiction. IT IS SO ORDERED.

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