

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Nensi Stagnaro v. Hollywood Park Management Company, LLC, et
al.

Stagnaro · No. 2:24-cv-10143-FLA (JPRx) · Decided August 7, 2025

SUMMARY

The United States District Court for the Central District of California grants Nensi Stagnaro’s motion to remand a putative consumer class action to Los Angeles County Superior Court. The court holds that removal under the Class Action Fairness Act was timely but that defendants failed to establish by a preponderance of the evidence that the amount in controversy exceeded \$5 million. The court denies attorney’s fees and denies defendants’ pending motions as moot.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Fernando L. Aenlle-Rocha
JURISDICTION	United States District Court for the Central District of California
DECIDED	August 7, 2025
DOCKET	2:24-cv-10143-FLA (JPRx)
DISPOSITION	remanded
PROCEDURAL POSTURE	Defendants removed Plaintiff's California consumer-protection and contract action under the Class Action Fairness Act. Plaintiff moved to remand, and Defendants moved to bifurcate discovery and dismiss the Third Amended Complaint.
STANDARD OF REVIEW	The removing party bears the burden of establishing federal subject matter jurisdiction. When the amount in controversy is contested and is not apparent from the complaint, the removing party must prove by a preponderance of the evidence that the jurisdictional threshold is satisfied.
PRECEDENTIAL VALUE	unknown
PARTIES	Hollywood Park Management Company, LLC, Stadco LA, LLC v. Nensi Stagnaro

TOPICS

subject matter jurisdiction civil procedure motions to dismiss consumer protection
deceptive trade practices

PRACTICE AREAS

civil procedure removal and remand class action jurisdiction consumer protection

QUESTIONS PRESENTED

1. Whether Defendants timely removed the putative class action under 28 U.S.C. § 1446(b)(3).
2. Whether Defendants established by a preponderance of the evidence that the amount in controversy exceeded CAFA's \$5 million jurisdictional threshold.
3. Whether Plaintiff was entitled to attorney's fees and costs under 28 U.S.C. § 1447(c) after remand.
4. Whether Defendants' motions to bifurcate discovery and dismiss the Third Amended Complaint remained justiciable after remand.

HOLDINGS

1. Removal was timely because the Second Amended Complaint materially expanded the putative class by including consumers charged a transaction fee regardless of whether they received prior notice, thereby triggering a new 30-day removal period under 28 U.S.C. § 1446(b)(3).
2. Defendants failed to establish by a preponderance of the evidence that the amount in controversy exceeded CAFA's \$5 million threshold.
3. Plaintiff was not entitled to attorney's fees under 28 U.S.C. § 1447(c) because Defendants had an objectively reasonable basis for removal.
4. Defendants' motions to bifurcate discovery and dismiss the Third Amended Complaint were denied as moot after the case was remanded to state court.

KEY QUOTATIONS

“Under this system, a defendant cannot establish removal jurisdiction by mere speculation and conjecture, with unreasonable assumptions.” (at 2)

“Thus, the determination of the amount in controversy must be the same now as it was at the case’s onset.” (at 6)

“Absent unusual circumstances, attorney’s fees should not be awarded under § 1447(c) when the removing party has an objectively reasonable basis for removal.” (at 7)

FACTUAL BACKGROUND

Plaintiff alleged that Defendants charged consumers at SoFi Stadium hidden transaction fees and failed to disclose certain charges in advertised prices. She asserted claims under California's Consumers Legal Remedies Act, False Advertising Law, and Unfair Competition Law, as well as for breach of implied contract. Defendants

removed under CAFA, relying on alleged class numerosity, minimal diversity, and an amount in controversy exceeding \$5 million.

PROCEDURAL HISTORY

Plaintiff filed the operative Second Amended Complaint in Los Angeles County Superior Court, case number 23STCV27414. Defendants removed the action to the Central District of California, asserting CAFA jurisdiction. The district court granted Plaintiff's motion to remand because Defendants did not establish by a preponderance of the evidence that the amount in controversy exceeded \$5 million, denied Plaintiff's request for attorney's fees, denied Defendants' other motions as moot, and remanded the action to state court.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The action is remanded to the Los Angeles County Superior Court, case number 23STCV27414. The clerk is directed to administratively close the federal case.

CASES CITED

- Ibarra v. Manheim Investments, Inc., 775 F.3d 1193, 1197 (9th Cir. 2015)
- Abrego Abrego v. The Dow Chemical Co., 443 F.3d 676, 686, 691 (9th Cir. 2006)
- Dart Basin Operating Co. v. Owens, 574 U.S. 81, 89 (2014)
- Singer v. State Farm Mutual Automobile Insurance Co., 116 F.3d 373, 377 (9th Cir. 1997)
- Chavez v. JPMorgan Chase & Co., 888 F.3d 413, 417 (9th Cir. 2018)
- Grupo Dataflux v. Atlas Global Group, L.P., 541 U.S. 567, 570 (2004)
- Hughes v. McDonald's Corp., Case No. C 14-1700 PJH, 2014 WL 3797488, at *2 (N.D. Cal. July 31, 2014)
- Petkevicius v. NBTY, Inc., Case No. 3:14-cv-02616-CAB (RBB), 2017 WL 1113295, at *7 (S.D. Cal. Mar. 24, 2017)
- Aseltine v. Panera, LLC, Case No. 21-cv-04284-JST, 2021 WL 8267421, at *2 (N.D. Cal. Dec. 13, 2021)
- Visendi v. Bank of America, N.A., 733 F.3d 863, 868 (9th Cir. 2013)
- Lopez v. Advanced Drainage Systems, Inc., Case No. 5:24-cv-07582-PCP, 2025 WL 1088199, at *6 (N.D. Cal. Apr. 11, 2025)
- Fritsch v. Swift Transportation Co. of Arizona, LLC, 899 F.3d 785, 796 (9th Cir. 2018)
- Yocupicio v. PAE Group, LLC, 795 F.3d 1057, 1060 (9th Cir. 2015)
- Leon v. Gordon Trucking, Inc., 76 F. Supp. 3d 1055, 1072 (C.D. Cal. 2014)
- Martin v. Franklin Capital Corp., 546 U.S. 132 (2005)

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