

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Hunt v. Liquid Transport Corp.

Hunt · No. 2:25-cv-03558-MCS-RAO · Decided June 4, 2025

SUMMARY

The United States District Court for the Central District of California granted Terrell Hunt’s motion to remand after finding that the defendants failed to timely oppose it. The court remanded the case to Los Angeles County Superior Court and directed the clerk to close the federal case.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Mark C. Scarsi
JURISDICTION	United States District Court for the Central District of California
DECIDED	June 4, 2025
DOCKET	2:25-cv-03558-MCS-RAO
DISPOSITION	remanded
PROCEDURAL POSTURE	Defendants removed the action from Los Angeles County Superior Court on the basis of diversity jurisdiction. Plaintiff moved to remand for untimely removal, and the court granted the motion after defendants failed to timely oppose it.
STANDARD OF REVIEW	The court decided the motion to remand without oral argument under Federal Rule of Civil Procedure 78(b) and Central District of California Local Rule 7-15.
PRECEDENTIAL VALUE	unpublished
PARTIES	Liquid Transport Corp., Liquid Transport LLC, Dana Transport, Inc. v. Terrell Hunt

TOPICS

- civil procedure
- subject matter jurisdiction
- commercial litigation

PRACTICE AREAS

- civil procedure
- removal and remand
- commercial litigation

QUESTIONS PRESENTED

1. Whether defendants' failure to timely oppose plaintiff's motion to remand constituted consent to granting the motion under Central District of California Local Rule 7-12.
2. Whether the case should be remanded to Los Angeles County Superior Court.

HOLDINGS

1. Under Central District of California Local Rule 7-12, defendants' failure to timely file an opposition to plaintiff's motion constituted consent to granting the motion.
2. The motion to remand was granted, and the action was remanded to Los Angeles County Superior Court.

KEY QUOTATIONS

“[D]efendants’ failure to file an opposition to the instant motion to remand provides grounds for granting the motion.” (1)

“Courts consistently grant motions to remand based on [a] defendant’s failure to oppose the motion.” (1)

FACTUAL BACKGROUND

Defendants removed the case from state court based on diversity jurisdiction. Plaintiff filed a motion to remand on May 22, 2025, and noticed a hearing for June 23, 2025. Defendants did not file an opposition by the deadline required by the local rules.

PROCEDURAL HISTORY

Defendants removed the case from Los Angeles County Superior Court to the Central District of California. Plaintiff moved to remand, arguing that removal was untimely. Defendants filed no timely opposition, and the court deemed that failure consent to granting the motion and remanded the case to Los Angeles County Superior Court.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The Clerk was directed to effect the remand immediately to Los Angeles County Superior Court, Case No. 24STCV10101, and close the federal case.

CASES CITED

- Duke Partners, LLC v. Wardrop, No. 5:16-cv-00950-CAS(DTBx), 2016 U.S. Dist. LEXIS 80716, at *2 n.1 (C.D. Cal. June 20, 2016)
- Shaw v. Costco Wholesale Corp., No. 2:25-cv-03035-MWC (MARx), 2025 U.S. Dist. LEXIS 104336, at *3 (C.D. Cal. June 2, 2025)

OPINION

Terrell Hunt v. Liquid Transport Corp, an Indiana Corporation

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES — GENERAL

Case No. 2:25-cv-03558-MCS-RAO Date June 4, 2025 Title Hunt v. Liquid Transport Corp. Present: The Honorable Mark C. Scarsi, United States District Judge Stephen Montes Kerr —_ ———NotReported Deputy Clerk Court Reporter Attorney(s) Present for Plaintiff: Attorney(s) Present for Defendants: None Present None Present Proceedings: (IN CHAMBERS) ORDER RE: MOTION TO REMAND (ECF No. 12) (JS-6) Defendants Liquid Transport Corp, Liquid Transport LLC, and Dana Transport, Inc., removed this case from state court on the basis of diversity jurisdiction. (Notice of Removal, ECF No. 1.) Plaintiff Terrell Hunt filed a motion to remand arguing that Defendants' removal was untimely. (Mem., ECF No. 13.) Defendants did not file a timely opposition brief. The Court deems Plaintiff's motion appropriate for decision without oral argument. Fed. R. Civ. P. 78(b); C.D. Cal. R. 7-15. Plaintiff filed his motion on May 22, 2025, and set a hearing 32 days later, on June 23, 2025. Local rules require opposition papers to be filed no later than 21 days before the date designated for the hearing of the motion. C.D. Cal. R. 7-9; (see also Initial Standing Order § 9(B), ECF No. 8). As of June 4, 2025, Defendants have not filed any opposition brief. The Court deems Defendants' failure to timely respond to the motion as their consent to the granting of the motion. C.D. Cal. R. 7-12: e.g., *Duke Partners, LLC v. Wardrop*, No. 5:16-cv-00950-CAS(DTBx), 2016 U.S. Dist. LEXIS 80716, at *2 n.1 (C.D. Cal. June 20, 2016) (“[D]efendants’ failure to file an opposition to the instant motion to remand provides grounds for granting the motion.”); *Shaw v. Costco Wholesale Corp.*, No. 2:25-cv-03035 MWC (MARx), Page 1 of 2 CIVIL MINUTES — GENERAL Initials of Deputy Clerk SMO 2025 U.S. Dist. LEXIS 104336, at *3 (C.D. Cal. June 2, 2025) (collecting cases for the proposition that “[c]ourts consistently grant motions to remand based on [a] defendant’s failure to oppose the motion.”). Plaintiff’s motion is granted. The case is remanded to Los Angeles County Superior Court, Case No. 24STCV10101. The Court directs the Clerk to effect the remand immediately and close the case. IT IS SO ORDERED.