

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

Bricine Mitchell v. Continental Casualty Insurance

No. 25-cv-09553-JSC, United States District Court for the Northern District of California (December 8, 2025)

SUMMARY

The United States District Court for the Northern District of California remanded this putative class action to California state court. The court determined that the defendant had not established by a preponderance of the evidence that the amount in controversy exceeded the jurisdictional threshold, and the defendant did not oppose remand.

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6 7
BRICINE MITCHELL, Case No. 25-cv-09553-JSC 8 Plaintiff, ORDER REMANDING CASE v.
9 Re: Dkt. Nos. 14, 15 10 CONTINENTAL CASUALTY INSURANCE, 11 Defendant. 12 13
Plaintiff filed this putative class action against Defendant in state court and alleged 14 violations
of the California Business & Professions Code.

(Dkt. No. 3 at 9-18.)¹ Defendant 15 removed the case to this Court based on diversity jurisdiction.
(Id. at 1-7.) Because Defendant 16 had not shown the amount in controversy exceeded the
jurisdictional threshold, the Court ordered 17 Defendant to show cause why this action should not
be remanded for lack of subject matter 18 jurisdiction. (Dkt. No. 14.) See *Urbino v. Orkin Servs.*
of Cal., Inc., 726 F.3d 1118, 1121-22 (9th Cir.

2013) (“Where, as here, it is unclear or ambiguous from the face of a state-court complaint 20
whether the requisite amount in controversy is pled, the removing defendant bears the burden of
21 establishing, by a preponderance of the evidence, that the amount in controversy exceeds the
22 jurisdictional threshold.” (cleaned up)). Defendant responded: “After reviewing the Court’s
order 23 and in light of Plaintiff’s previously expressed willingness to stipulate to remand,
Defendant does 24 not oppose remand of this action to state court.” (Dkt.

No. 17 at 2.) 25 The Court therefore REMANDS the case to the Superior Court of the State of
California 26 for the County of San Francisco. The Court further orders that the Court file in this
case be 27 1 transferred by the clerk of this Court to the clerk of the State Court, along with a
certified copy of 2 || this Order of Remand.

The State Court may thereupon proceed with this case. 3 This Order disposes of Docket No. 15. 4
IT IS SO ORDERED. 5 Dated: December 8, 2025 6 ne JACQUELINE SCOTT CORL 7 United

