

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Christopher Thibodeaux v. General Motors LLC, et al.

Thibodeaux v. General Motors LLC · No. 2:25-cv-07105-SSC · Decided October 22, 2025

SUMMARY

The Central District of California denied Plaintiff Christopher Thibodeaux’s motion to remand his Song-Beverly Consumer Warranty Act and Magnuson-Moss Warranty Act action against General Motors LLC and others. The court held that the complaint was indeterminate as to the amount in controversy because it did not state the vehicle’s purchase price or specific damages, so the initial 30-day removal period was not triggered. Defendant’s removal, filed after receiving notice of the actual damages, was therefore timely.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Stephanie S. Christensen
JURISDICTION	United States District Court for the Central District of California
DECIDED	October 22, 2025
DOCKET	2:25-cv-07105-SSC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to remand a removed California Song-Beverly Consumer Warranty Act and Magnuson-Moss Warranty Act action, arguing that removal was untimely and that federal subject matter jurisdiction had not been established.
STANDARD OF REVIEW	The removing party bears the burden of showing that removal is proper, and removal jurisdiction is strictly construed in favor of remand. The court determines removability by examining the four corners of the applicable pleadings and applies the statutory removal deadlines under 28 U.S.C. § 1446.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential
PARTIES	Christopher Thibodeaux v. General Motors LLC, 10 Doe Defendants

TOPICS

subject matter jurisdiction

civil procedure

consumer protection

damages

remedies

PRACTICE AREAS

civil procedure

removal jurisdiction

consumer warranty law

consumer protection

remedies

QUESTIONS PRESENTED

1. Whether the complaint affirmatively revealed that the amount in controversy satisfied the requirements for federal diversity jurisdiction and therefore triggered the initial 30-day removal period under 28 U.S.C. § 1446(b)(1).
2. Whether General Motors's August 1, 2025 removal was timely where the complaint did not state the vehicle's purchase price or a specific amount of damages.
3. Whether the notice of removal and complaint established, more likely than not, complete diversity and an amount in controversy exceeding \$75,000.

HOLDINGS

1. A complaint is indeterminate as to removability when it seeks Song-Beverly Act restitution, civil penalties, and attorney's fees but does not state the vehicle's actual price paid or payable or a specific damages amount; such a complaint does not affirmatively reveal that the amount in controversy satisfies federal jurisdictional requirements.
2. General Motors's removal approximately five months after the complaint was filed was timely because the complaint was indeterminate and did not trigger the first 30-day removal deadline.
3. The complaint and notice of removal established, more likely than not, that complete diversity existed and that the amount in controversy exceeded \$75,000.

KEY QUOTATIONS

“The “notice of removability under § 1446(b) is determined through examination of the four corners of the applicable pleadings, not through subjective knowledge or a duty to make further inquiry.”” (Section II)

“The “removal clock does not start until a paper makes a ground for removal ‘unequivocally clear and certain.’”” (Section II)

“Thus, the complaint was indeterminate and did not trigger the first 30-day deadline for removal under § 1446(b)(1).” (Section III.B)

FACTUAL BACKGROUND

Plaintiff purchased a 2022 Chevrolet Corvette in approximately May 2022 and alleged that the vehicle had serious defects that General Motors and fictitious defendants failed adequately to repair. The complaint sought actual damages according to proof, restitution, a civil penalty of up to twice actual damages, attorney's fees, and costs, but did not state the vehicle's price paid or payable or a specific damages amount. General Motors removed approximately five months after the state-court complaint was filed, asserting estimated actual damages of \$135,347.59 and an amount in controversy exceeding \$75,000.

PROCEDURAL HISTORY

Thibodeaux filed the action in Los Angeles County Superior Court on March 18, 2025. General Motors removed the action on August 1, 2025, asserting diversity jurisdiction under 28 U.S.C. § 1332 and alleging that the amount in controversy exceeded \$75,000. Plaintiff moved to remand on August 22, 2025; the court held a hearing on October 7, 2025, and denied the motion because the complaint was indeterminate as to the amount in controversy and the removal was timely.

DISPOSITION

other

CASES CITED

- Hunter v. Philip Morris USA, 582 F.3d 1039, 1042 (9th Cir. 2009)
- Abrego Abrego v. The Dow Chem. Co., 443 F.3d 676, 684 (9th Cir. 2006) (per curiam)
- Harris v. Bankers Life & Cas. Co., 425 F.3d 689, 693–98 (9th Cir. 2005)
- Dietrich v. Boeing Co., 14 F.4th 1089, 1090–94 (9th Cir. 2021)
- Roth v. CHA Hollywood Med. Ctr., L.P., 720 F.3d 1121, 1125–26 (9th Cir. 2013)
- Kuxhausen v. BMW Fin. Servs. NA LLC, 707 F.3d 1136, 1138–41 (9th Cir. 2013)
- Smith v. Mylan, Inc., 761 F.3d 1042, 1045 (9th Cir. 2014)
- Fristoe v. Reynolds Metals Co., 615 F.2d 1209, 1212 (9th Cir. 1980)
- Kelly v. Fleetwood Enters., Inc., 377 F.3d 1034, 1037, 1039 (9th Cir. 2004)
- Romo v. FFG Ins. Co., 397 F. Supp. 2d 1237, 1239 (C.D. Cal. 2005)
- Durham v. Lockheed Martin Corp., 445 F.3d 1247, 1251 (9th Cir. 2006)
- Covarrubias v. Ford Motor Co., No. 2:25-cv-00328-JLS-MAA, 2025 WL 907544, at *3 (C.D. Cal. Mar. 24, 2025)
- Crescencio v. Ford Motor Co., Case No. CV 24-10946-MWF (BFMx), 2025 WL 1122096, at *4 (C.D. Cal. Apr. 9, 2025)
- Ayad v. Nissan N. Am., Inc., Case No. 2:25-cv-4152-RAO, 2025 WL 2490849, at *3 (C.D. Cal. Aug. 29, 2025)

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