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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

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9 David Lucas Burge; et al.,) No. CV 09-1159-PHX-JAT

10 Plaintiffs,) **ORDER**

11 vs.)

12 Freelif International, Inc.,)

13 Defendant.)

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16 "Inquiring whether the court has jurisdiction is a federal judge's first duty in every
17 case." *Belleville Catering Co. v. Champaign Market Place, L.L.C.*, 350 F.3d 691, 693 (7th
18 Cir. 2003). In this case, Plaintiffs cite no statute in the complaint which they allege would
19 give this Court jurisdiction. In fact, in the "jurisdiction" section of their complaint, they cite
20 a state statute and a state rule of court, but no federal statute or federal rule.

21 Because federal courts are courts of limited jurisdiction, the party asserting
22 jurisdiction must plead sufficient facts for this Court to assess its jurisdiction. *Kokkonen v.*
23 *Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 (1994); *Valdez v. Allstate*, 372 F.3d 1115,
24 1116-17 (9th Cir. 2004).

25 Therefore,

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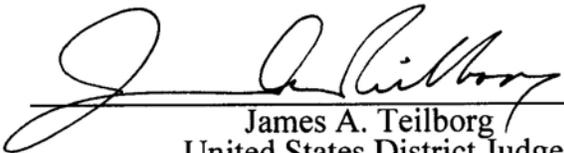
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IT IS ORDERED that by July 2, 2009, Plaintiffs shall file an amended complaint properly alleging federal subject matter jurisdiction, or this case will be dismissed without prejudice for lack of federal subject matter jurisdiction.

DATED this 12th day of June, 2009.



James A. Teilborg
United States District Judge