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

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9	AJF Custom Homes, LLC,)	No. CV 09-1690-PHX-JAT
10	Plaintiff,)	ORDER
11	vs.)	
12)	
13	American Family Mutual Insurance)	
13	Company,)	
14	Defendant.)	
15)	

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17 On September 9, 2009, the Court ordered Defendant to file an amended notice of
18 removal that properly alleged federal subject matter jurisdiction. (Doc. #10). When pleading
19 diversity jurisdiction and one of the parties is an LLC, the party must plead the citizenship
20 of each member of the LLC. *See Johnson v. Columbia Properties Anchorage*, 437 F.3d 894,
21 899 (9th Cir. 2006)(discussing citizenship of limited liability companies).

22 Defendant filed an Amended Notice of Removal on September 22, 2009. (Doc. #12).
23 The Amended Notice alleges complete diversity of the parties and alleges that the
24 member/manager of the Plaintiff LLC, AJF Custom Homes, LLC, is Alan J. Fernandez with
25 “an address of P.O. Box 27705, Scottsdale, Arizona 85255.” (Doc. #12, p. 2). As the Court
26 informed Defendant at today’s Rule 16 Scheduling Conference, a P.O. Box does not establish
27 a person’s residency, let alone citizenship.

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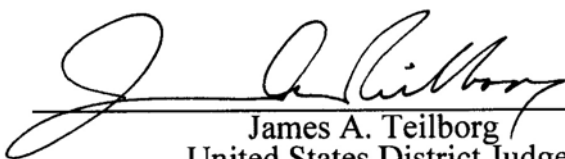
1 The Court therefore finds that the Amended Notice of Removal again fails to
2 sufficiently plead jurisdiction. Defendant did not seek leave to file another Amended Notice
3 of Removal at the Scheduling Conference, and, as stated in its earlier Order, the Court will
4 not sua sponte grant Defendant further leave to do so.

5 Accordingly,

6 **IT IS ORDERED** remanding this case to state court for lack of federal jurisdiction.

7 DATED this 5th day of October, 2009.

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James A. Teilborg
United States District Judge