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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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Sherri Clinger; et al.,

No. CV 09-2592-PHX-JAT

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Plaintiffs,

ORDER

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vs.

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General Motors Company; et al.,

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Defendants.

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IT IS ORDERED that in responding to Plaintiffs’ motion to remand, in addition to
addressing all arguments raised by Plaintiffs, Defendants shall also address the citizenship
of all Defendants. Specifically, Defendants did not make any allegations regarding the
citizenship of the “unserved” Defendants.¹ However, a defendant can not ignore an
unserved, nondiverse co-defendant in seeking to remove a case to federal court based on
diversity. *Cripps v. Life Ins. Co. of N. Amer.*, 980 F.2d 1261, 1266 n. 4 (9th Cir. 1992)
(citing *Clarence E. Morris, Inc. v. Vitek*, 412 F.2d 1174, 1176 (9th Cir. 1969). Therefore,
Defendants must allege the citizenship of all Defendants.

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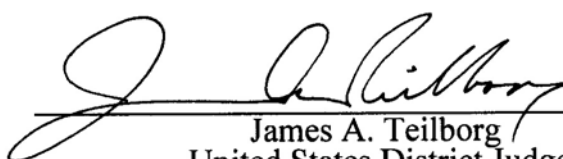
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DATED this 13th day of January, 2010.

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James A. Teilborg
United States District Judge

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¹ Plaintiffs may dispute which Defendants have been served.