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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Allstate Insurance Co.,

No. CV 12-1348-PHX-JAT

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Plaintiff,

ORDER

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vs.

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Sun Lin Electronics Co., LTD., et al.,

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Defendants.

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On July 13, 2012, the Court issued the following Order:

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“Inquiring whether the court has jurisdiction is a federal judge’s first duty in every case.” *Belleville Catering Co. v. Champaign Market Place, L.L.C.*, 350 F.3d 691, 693 (7th Cir. 2003). In this case, the notice of removal fails to sufficiently plead jurisdiction. *See* 28 U.S.C. § 1332; *Hertz Corp. v. Friend*, 130 S. Ct. 1181, 1192; - - - U.S. - - - (2010) (discussing the citizenship of corporations); *Johnson v. Columbia Properties Anchorage, L.P.*, 437 F.3d 894, 899 (9th Cir. 2006) (discussing the citizenship of limited liability companies).

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Specifically, diversity jurisdiction requires complete diversity between all plaintiffs and all defendants. *Caterpillar v. Lewis*, 386 U.S. 523, 531 (1996). In this case, the notice of removal fails to allege the citizenship of two of the three defendants.

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Accordingly,

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IT IS ORDERED that by July 20, 2012, the removing Defendant shall file an amended notice of removal properly alleging federal subject matter jurisdiction, or this case will be remanded for lack of federal subject matter jurisdiction.

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Doc. 9.

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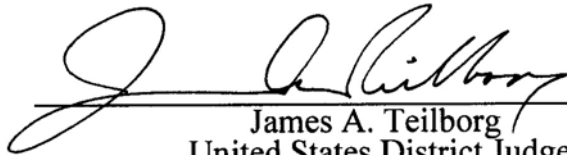
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On July 16, 2012, the removing Defendant filed an amended notice of removal but still failed to allege the citizenship of the limited liability company. *See Johnson v. Columbia Properties Anchorage, L.P.*, 437 F.3d 894, 899 (9th Cir. 2006) (cited above); *Belleville*

1 *Catering Co. v. Champaign Market Place, L.L.C.*, 350 F.3d 691, 693 (7th Cir. 2003) (cited
2 above) (both holding that a limited liability company takes on the citizenship of all of its
3 members).

4 Accordingly, because the amended notice of removal still fails to plead complete
5 diversity, **IT IS ORDERED** remanding this case to Superior Court.

6 DATED this 16th day of July, 2012.

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11 James A. Teilborg
12 United States District Judge
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