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

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9 Ryan Meinerz,

10 Plaintiff,

11 vs.

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13 Border Collie Rescue, Inc.; Chiulista  
Services, Inc.,

14 Defendants.

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No. CV 12-1453-PHX-JAT

**ORDER**

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 (7<sup>th</sup>  
18 Cir. 2003). In this case, the notice of removal fails to sufficiently plead jurisdiction. *See* 28  
19 U.S.C. § 1332; *Hertz Corp. v. Friend*, 130 S. Ct. 1181, 1192; - - - U.S. - - - (2010)  
20 (discussing the citizenship of corporations).

21 Accordingly,

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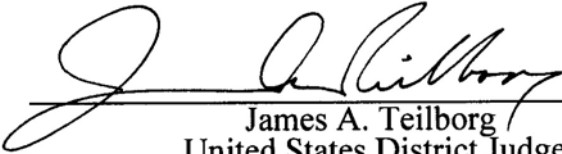
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1 **IT IS ORDERED** that by August 24, 2012, Defendant Chiulista Services, Inc. (as the  
2 party asserting jurisdiction and therefore, with the burden of pleading jurisdiction, *see Lew*  
3 *v. Moss*, 797 F.2d 747, 749 (9<sup>th</sup> Cir. 1986)) shall file a supplement to the notice of removal  
4 properly alleging federal subject matter jurisdiction, or this case will be remanded for lack  
5 of federal subject matter jurisdiction.

6 DATED this 10th day of August, 2012.

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9 James A. Teilborg  
United States District Judge

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