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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 FRS GC LLC,

10 Plaintiff,

11 v.

12 Oak Tree Management LLC, Milagro
13 Consulting LLC, David Harbour, and Abby
14 Harbour,

15 Defendants.

No. CV-17-01189-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
18 (7th Cir. 2003); *see also Valdez v. Allstate Insurance Co.*, 372 F.3d 1115, 1116-1118 (9th
19 Cir. 2004) (remanding to the district court to conduct proceedings and consider evidence
20 as necessary to determine subject matter jurisdiction).

21 In this case, three parties are limited liability companies. “... [L]imited liability
22 companies are citizens of every state of which any member is a citizen.” *Belleville*
23 *Catering Co. v. Champaign Market Place, L.L.C.*, 350 F.3d 691, 692 (7th Cir. 2003); *see*
24 *also Johnson v. Columbia Properties Anchorage, L.P.*, 437 F.3d 894, 899 (9th Cir. 2006).

25 In the complaint, Plaintiff alleges federal subject matter jurisdiction based on
26 diversity. (Doc. 1 at 4). To plead diversity, Plaintiff states, “Upon information and
27 belief, no member of Oak Tree or Milagro is a citizen of the same state as any member of
28 Plaintiff.” (*Id.*) This allegation is inadequate for this Court to independently determine

1 that diversity jurisdiction exists in this case. Therefore,

2 **IT IS ORDERED** that by June 9, 2017, Plaintiff shall file a supplement to the
3 complaint listing the names and citizenship of every member of each limited liability
4 company, or this case will be dismissed, without prejudice, for lack of federal subject
5 matter jurisdiction.

6 Dated this 1st day of June, 2017.

