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

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9 Suntree Snack Foods LLC, et al.,

No. CV-24-02845-PHX-KML

10 Plaintiffs,

**ORDER**

11 v.

12 Dees Nuts LLC, et al.,

13 Defendants.  
14

15 Plaintiff Redlands Holdings LLC filed a statement that seems to establish Redlands  
16 should be considered a citizen of Delaware and New York. (Doc. 14.) That statement  
17 identified defendant Dees Nuts as a Florida limited liability company but says “Florida  
18 does not disclose the identity of members or managers” of LLCs. (Doc. 14.) Redlands  
19 believes that is good enough to remain in federal court. It is not.

20 “[A] federal court may exercise diversity jurisdiction only if there is no plaintiff and  
21 no defendant who are citizens of the same State.” *Weeping Hollow Ave. Tr. v. Spencer*, 831  
22 F.3d 1110, 1112 (9th Cir. 2016) (quotation marks and citation omitted). As the court  
23 explained multiple times, citizenship of a limited liability company is determined by  
24 identifying the citizenships of its “owners/members.” *Johnson v. Columbia Properties*  
25 *Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006). Thus, the court must be provided  
26 information regarding the citizenship of all relevant “owners/members” to ensure it has  
27 jurisdiction.

28 Redlands chose to file this suit in federal court, meaning it “bears the burden of


1 both pleading and proving diversity jurisdiction.” *NewGen, LLC v. Safe Cig, LLC*, 840 F.3d  
2 606, 613–14 (9th Cir. 2016). The operative complaint does not contain allegations  
3 regarding Dees Nuts’s citizenship. In fact, that complaint identifies Dees Nuts as “a  
4 corporation.” (Doc. 12 at 1.) The latest supplement observes Florida does not disclose the  
5 members of LLCs. (Doc. 14.) At this point, Redlands has not carried its burden of pleading  
6 jurisdiction.

7 Redlands is required to establish why this case should not be dismissed for lack of  
8 jurisdiction. If Redlands wants this suit to remain in federal court, it must provide some  
9 good faith basis for its belief that complete diversity exists.

10 Accordingly,

11 **IT IS ORDERED** no later than **December 4, 2024**, plaintiff shall show cause why  
12 this case should not be dismissed for lack of diversity jurisdiction. Failure to establish  
13 complete diversity will result in the dismissal of this case without prejudice.

14 Dated this 26th day of November, 2024.

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18 **Honorable Krissa M. Lanham**  
19 **United States District Judge**