

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MEMORANDUM

Case No. CV 12-455 DSF (Ex)

Date 10/24/12

Title Dana Kemper, et al. v. Aaron Stipkovich, et al.

Present: The
Honorable

DALE S. FISCHER, United States District Judge

R. Neal for Debra Plato

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (In Chambers) Order to Show Cause re Dismissal for Lack of Subject Matter Jurisdiction

Plaintiffs claim that this Court has jurisdiction over this case due to diversity jurisdiction. However, one of the Defendants is an LLC in which Plaintiffs claim an ownership interest. Limited liability companies are citizens of the same states as their members. Johnson v. Columbia Props. Anchorage, LP, 437 F.3d 894, 899 (9th Cir. 2006). In addition to the probability that Plaintiffs should be considered members of the LLC and diversity, therefore, would necessarily not exist, no other members' citizenships are alleged. In light of this, Plaintiffs are ordered to show cause, in writing, no later than October 30, 2012, why this case should not be dismissed for lack of subject matter jurisdiction.

IT IS SO ORDERED.