

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JAMES WONG,)	CV-13-07207 RSWL-FFM
)	
Plaintiff,)	
)	ORDER TO SHOW CAUSE RE:
v.)	SUBJECT MATTER
)	JURISDICTION
)	
)	
QINGDAO YIJIA NATIVE IMPORT)	
& EXPORT, LTD., DOES 1-10,)	
inclusive,)	
)	
)	
Defendants.)	

The Court is in receipt of Plaintiff James Wong's ("Plaintiff") Complaint. The Court hereby **ORDERS** Plaintiff to show cause why this case should not be dismissed for lack of subject matter jurisdiction.

Federal courts are courts of limited jurisdiction, and the burden of establishing jurisdiction rests upon the party asserting jurisdiction. See Kokkonen v. Guardian Life Ins. Co., 511 U.S. 375, 377 (1994).

District courts have original jurisdiction over: (1) civil actions against foreign states; (2) civil actions

1 arising under the Constitution, laws or treaties of the
2 United States; and (3) civil actions where there is
3 complete diversity of citizenship among the parties and
4 the amount in controversy exceeds \$75,000, exclusive of
5 interest and costs. 28 U.S.C. §§ 1331-1334.

6 For the purposes of 28 U.S.C. § 1332, "a
7 corporation shall be deemed to be a citizen of every
8 State and foreign state by which it has been
9 incorporated and of the State or foreign state where it
10 has its principal place of business." 28 U.S.C. §
11 1332(c)(1).

12 Although Plaintiff asserts in his Complaint that
13 Qingdao Yijia Native Import & Export, Ltd.
14 ("Defendant") is a foreign corporation incorporated in
15 the People's Republic of China, Plaintiff does not
16 indicate where Defendant has its principal place of
17 business. Thus, it is unclear whether complete
18 diversity of citizenship exists between the Parties.
19 Accordingly, the Court hereby orders Plaintiff to show
20 cause, in writing, by **October 23, 2013** as to why this
21 case should not be dismissed for lack of subject matter
22 jurisdiction. No hearing will be held and the matter
23 will stand submitted upon the filing of Plaintiff's
24 response.

25 **IT IS SO ORDERED.**

26 DATED: 10/10/13

RONALD S.W. LEW

27 **HONORABLE RONALD S.W. LEW**
Senior, U.S. District Court Judge

28