

O
JS-6

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10
11 LEGALZOOM.COM, INC.,

12 Plaintiff,

13 v.

14 MACEY BANKRUPTCY LAW, P.C.,
15 MACEY BANKRUPTCY LAW
16 HOLDING, P.C., LEAL HELPERS DEBT
17 RESOLUTION, LLC, JACOBY &
18 MEYERS-BANKRUPTCY, LLC, and
19 DOES 1-10, inclusive,

20 Defendants.

Case No. 2:13-cv-7894-ODW(MRWx)

**ORDER DISMISSING FOR LACK
OF SUBJECT-MATTER
JURISDICTION**

21 On October 25, 2013, LegalZoom.com filed a Complaint in this Court.
22 LegalZoom contends that this Court has federal-subject-matter jurisdiction over this
23 action on the basis of diversity of citizenship under 28 U.S.C. § 1332. (ECF No. 1.)
24 The Court issued an Order to Show Cause Re Subject Matter Jurisdiction on
25 November 18, 2013. (ECF No. 7.) The Court could not determine whether diversity
26 of citizenship exists in this action, because LegalZoom failed to state the citizenship of
27 the partners and members of Defendants Legal Helpers Debt Resolution, LLC and
28 Jacoby & Meyers-Bankruptcy, LLP. In the Order to Show Cause, the Court noted
that, unlike the citizenship of a natural person, the citizenship of a partnership or other
unincorporated entity is the citizenship of its members. *Carden v. Arkoma Assocs.*,
494 U.S. 185, 195-96 (1990). The Court therefore held that it could not determine

1 whether diversity of citizenship existed, because LegalZoom did not allege the
2 citizenships of the partners and members of the respective entities.

3 On November 5, 2013, LegalZoom filed the Declaration of Andrew V. Jablon
4 in response to the Order to Show Cause. (ECF No. 8.) But again, LegalZoom fails to
5 sufficiently allege the citizenship of the partners and members of Jacoby & Meyers–
6 Bankruptcy, LLP.¹ Jablon asserts that Jacoby & Meyers–Bankruptcy, LLP is a
7 partnership between Macey Bankruptcy and Jacoby & Meyers. Accordingly,
8 LegalZoom must sufficiently allege the citizenship of *both* Macey Bankruptcy’s and
9 Jacoby & Meyer’s members.

10 Jablon avers that, “Jacoby & Meyers, LLC is an Alabama limited liability
11 company whose members . . . are John J. Givens and J. K. Givens, each of which
12 appear to be *residents* of the State of Alabama. (Jablon Decl. ¶ 4) (emphasis added).
13 This alone renders the response to the Court’s Order to Show Cause insufficient.
14 LegalZoom fails to allege the *citizenships* of John J. Givens and J. K. Givens. For the
15 purposes of complete diversity, citizenship is determined by the state of domicile—not
16 the state of residence.” *Kantor v. Warner-Lambert Co.*, 265 F.3d 853, 857 (9th Cir.
17 2001); *see also Jeffcott v. Donovan*, 135 F.2d 213, 214 (9th Cir. 1943) (“Diversity of
18 citizenship as a basis for the jurisdiction of a cause in the District Court of the United
19 States is not dependent upon the residence of any of the parties, but upon their
20 citizenship.”).

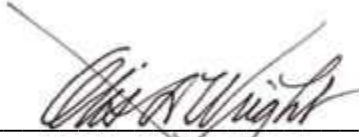
21 Further, Jablon does not even mention Macey Bankruptcy in his declaration—
22 much less the citizenship of its members. LegalZoom has failed to properly respond
23 to the Court’s November 7, 2013 Order to Show Cause. The Court cannot determine
24 the citizenship of any of Macey Bankruptcy’s and Jacoby & Meyer’s members from
25 Jablon’s declaration. The Court therefore remains unconvinced that diversity
26 jurisdiction exists in this case.

27 _____
28 ¹ LegalZoom dismissed defendant Legal Helpers Debt Resolution, LLC from this action on
November 13, 2013. (ECF No. 14.)

1 For these reasons, the Court finds that it lacks jurisdiction over this case. This
2 action is therefore **DISMISSED WITHOUT PREJUDICE** for lack of subject-matter
3 jurisdiction.

4 **IT IS SO ORDERED.**

5
6 November 18, 2013

7
8 

9 **OTIS D. WRIGHT, II**
10 **UNITED STATES DISTRICT JUDGE**

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28