

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MEMORANDUM

Case No. CV 14-4620 DSF (CWx)

Date 2/27/15

Title Roberta Garcia v. Air Serv Corp., et al.

Present: The Honorable DALE S. FISCHER, United States District Judge

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 Remand for Lack of Subject Matter Jurisdiction

Removal was based on a purported need for the Court to interpret the collective bargaining agreement (CBA) for the union of which Plaintiff is a member. However, it is not clear why or how the interpretation of the terms of the CBA is at issue in this case. It is not sufficient for federal jurisdiction that resolution of a claim requires the Court to “look to” the CBA or that the claim and the CBA could have a “hypothetical connection.” Burnside v. Kiewit Pac. Corp., 491 F.3d 1053, 1060 (9th Cir. 2007). There must be a need for actual interpretation of disputed terms for federal jurisdiction to attach.

Therefore, Defendant is ordered to show cause, in writing, no later than March 13, 2015 why this case should not be remanded for lack of subject matter jurisdiction.

IT IS SO ORDERED.