

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—GENERAL

Case No. **CV 14-05073 DMG (VBKx)** Date July 7, 2014

Title ***Chris Hicks v. Briad Restaurant Group, L.L.C.*** Page 1 of 1

Present: The Honorable **DOLLY M. GEE, UNITED STATES DISTRICT JUDGE**

**KANE TIEN**

Deputy Clerk

**NOT REPORTED**

Court Reporter

Attorneys Present for Plaintiff(s)  
None Present

Attorneys Present for Defendant(s)  
None Present

**Proceedings: IN CHAMBERS—ORDER TO SHOW CAUSE WHY THIS ACTION  
SHOULD NOT BE DISMISSED FOR LACK OF SUBJECT MATTER  
JURISDICTION**

On June 30, 2014, Defendant Briad Restaurant Group, L.L.C. filed a Notice of Removal. [Doc. # 1.] The Notice of Removal alleges that this Court has jurisdiction on the basis of diversity of citizenship, pursuant to 28 U.S.C. § 1332(d). (*Id.*)

To establish diversity jurisdiction for a class action brought under the Class Action Fairness Act, a least one member of the purported class must be a citizen of a State different from a Defendant. 28 U.S.C. § 1332(d)(2)(A); *Washington v. Chimei Innolux Corp.*, 659 F.3d 842, 847 (9th Cir. 2011). The Notice of Removal alleges that Plaintiff is a citizen of California, citing Plaintiff's Complaint ¶ 10. (*Id.* at 4.) It also asserts that Defendant Briad is a "Limited Liability Company formed and registered under the laws of New Jersey with its principal place of business in Livingston, New Jersey. (*Id.*) The accompanying Declaration of David Cahill states that Briad is a New Jersey LLC with its principal place of business in New Jersey. (Declaration of David Cahill ¶¶ 2-3 [Doc. # 2].) An LLC is a citizen of every state of which its owners/members are citizens. *Johnson v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006). The Notice of Removal fails to adequately allege the citizenship of Briad, a limited liability company, because it does not state the citizenship of all owners and/or members of Briad. Accordingly, the Notice of Removal fails to establish that complete diversity of citizenship exists.

In light of the foregoing, Plaintiff is **ORDERED TO SHOW CAUSE** why this action should not be dismissed for lack of subject matter jurisdiction by no later than July 14, 2014.

**IT IS SO ORDERED.**