

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. **CV 14-5248 RZ** Date **July 11, 2014**

Title **YDM MANAGMENT v. UNITED HEALTHCARE INS. CO., ET AL.**

Present: The Honorable **RALPH ZAREFSKY, U.S. MAGISTRATE JUDGE**

Ilene Bernal

N/A

Deputy Clerk

Court Reporter / Recorder

Attorney Present for Plaintiff:

Attorneys Present for Defendants:

N/A

N/A

Proceedings:

In Chambers –

ORDER TO SHOW CAUSE RE DIVERSITY JURISDICTION

Defendant United Healthcare (UHC) removed this action based on diversity jurisdiction. The Notice Of Removal clearly states UHC's states of citizenship and that the amount in controversy exceeds \$75,000. It also notes Plaintiff YDM's state of incorporation. But neither the Notice nor the underlying Complaint indicate in what state Plaintiff has its principal place of business. *See* 28 U.S.C. §§ 1332(a)(1), (c)(1). It is possible that that state is also one of UHC's two states of citizenship. If so, the Court lacks subject matter jurisdiction. "It is best," Circuit Judge Frank Easterbrook has advised,

to attend to this issue at the outset, before unpleasant discoveries about jurisdictional facts require the parties and the judge to bemoan the waste of time and money invested in the litigation.

McMahon v. Bunn-O-Matic Corp., 150 F.3d 651, 654 (7th Cir. 1998) (Easterbrook, Circuit J.).

Accordingly, the Court ORDERS Defendant TO SHOW CAUSE in writing, within seven (7) days, why this action should not be dismissed or remanded for lack of subject matter jurisdiction. The Court anticipates discharging this show-cause order if, by the deadline, Defendant files an Amended Notice Of Removal curing the shortcoming noted.

IT IS SO ORDERED.

Initials of Preparer

: _____
igb