

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JS-6

CIVIL MINUTES - GENERAL

Case No. CV 15-00115 DDP (PLAx) Date June 16, 2015

Title 3 STAR MANAGEMENT INC., et al. -V- BP WEST COAST PRODUCTS LLC, et al.

Present: The DEAN D. PREGERSON, U.S. DISTRICT JUDGE
Honorable

John A. Chambers

None Present

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None Present

None Present

Proceedings:

MINUTE ORDER (IN CHAMBERS)

Defendant concedes that its Notice of Removal misstates Defendant's own citizenship. Although Defendant argues that Plaintiffs do not dispute that the parties are diverse, it is Defendant's burden to show that removal is proper. *Gaus v. Miles*, 980 F.2d 564, 566 (9th Cir. 1992). Any ambiguities must be resolved in favor of remand. *Id.* Even if Defendant were to amend the Notice of Remand to state Defendant's Maryland citizenship, and even putting aside Defendant's inconsistent assertions of citizenship in other, related cases, Defendant points to no evidence establishing that no Plaintiff is a citizen of Maryland. Accordingly, Defendant's Motion for Leave to Amend (Dkt. 16) is DENIED and Plaintiffs' Motion to Remand (Dkt. 14) is GRANTED.

Initials of Preparer _____ : N/A
JAC