

**JS-6**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	CV 15-6086-GW (FFMx)	Date	December 1, 2015
Title	<i>Carmen Rivera v. Countrywide Home Loans, et al.</i>		

Present: The Honorable	GEORGE H. WU, UNITED STATES DISTRICT JUDGE		
Javier Gonzalez	None Present		
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiff:	Attorneys Present for Defendants:		
None Present	None Present		

**PROCEEDINGS (IN CHAMBERS): ORDER DISMISSING MATTER FOR LACK OF SUBJECT MATTER JURISDICTION**

Carmen Rivera (“Plaintiff”) sues Kirk Cartozian (“Cartozian”), Cartozian and Associates Real Estate, Inc. (“Cartozian and Associates”), Ralph Verdugo a.k.a. Rafael Verdugo (“Verdugo”), Countrywide Home Loans d.b.a. and a.k.a. Bank of America Home Loans a.k.a. Bank of America (“Countrywide”), and Select Portfolio Servicing, Inc. (“Select Portfolio”) (collectively, “Defendants”), asserting two causes of action: (1) fraud, against all Defendants, and (2) intentional interference with business relationship, against Cartozian, Cartozian and Associates, and Verdugo. *See* First Am. Compl. (“FAC”), Docket No. 16. Plaintiff asserts diversity jurisdiction pursuant to 28 U.S.C. § 1332. *See id.* ¶ 7. As the party asserting jurisdiction, Plaintiff has the burden of establishing that subject matter jurisdiction exists before this matter proceeds further. *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 (1994) (“It is to be presumed that a cause lies outside this limited jurisdiction, and the burden of establishing the contrary rests upon the party asserting jurisdiction.”) (citations omitted).

On November 12, 2015, the Court issued an order to show cause regarding subject matter jurisdiction, which indicated that Plaintiff’s jurisdictional allegations were insufficient, that complete diversity appeared to be lacking, that Plaintiff failed to allege an amount in controversy exceeding the jurisdictional minimum, and that this action would be dismissed if Plaintiff failed to cure the jurisdictional deficiencies. *See* Order to Show Cause, Docket No. 17. Plaintiff was ordered to show cause in writing no later than November 19, 2015, and Defendants’ responses, if any, were to be filed no later than November 24, 2015. *Id.* As of December 1, 2015, Plaintiff has failed to file a response to the Court’s order to show cause. Accordingly, this matter is hereby dismissed for lack of subject matter jurisdiction.

The Court further orders the Court Clerk promptly to serve this order on all parties who have

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appeared in the action.

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