

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 18-3091 FMO (AGRx)	Date	April 30, 2018
Title	Tiffany Harris v. LSP Products Group, Inc., <u>et al.</u>		

Present: The Honorable			Fernando M. Olguin, United States District Judge
Vanessa Figueroa	None		
Deputy Clerk	Court Reporter / Recorder		Tape No.
Attorney Present for Plaintiff(s):		Attorney Present for Defendant(s):	
None Present		None Present	

Proceedings: (In Chambers) Order to Show Cause Re: Remand

Jurisdiction in this case is asserted on the basis of the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1332(d). (See Dkt. 1, Complaint at ¶ 16). “CAFA provides expanded original diversity jurisdiction for class actions meeting the amount in controversy and minimal diversity and numerosity requirements set forth in 28 U.S.C. § 1332(d)(2).” United Steel, Paper & Forestry, Rubber, Mfg., Energy, Allied Indus. & Serv. Workers Int’l Union, AFL-CIO, CLC v. Shell Oil Co., 602 F.3d 1087, 1090-91 (9th Cir. 2010). Under that provision, “district courts shall have original jurisdiction of any civil action in which the matter in controversy exceeds the sum or value of \$5,000,000, exclusive of interest and costs, and is a class action in which . . . any member of a class of plaintiffs is a citizen of a State different from any defendant[.]” 28 U.S.C. § 1332(d)(2).

Having reviewed the Complaint, the court questions whether the claims of the individual class members exceed \$5,000,000 in the aggregate. See 28 U.S.C. § 1332(d)(2); Dart Cherokee Basin Operating Co., LLC v. Owens, 135 S.Ct. 547, 554 (2014) (“Evidence establishing the amount is required . . . when the plaintiff contests, or the court questions, the defendant’s allegation.”).

Accordingly, IT IS ORDERED that:

1. No later than **May 7, 2018**, plaintiff shall show cause in writing why this action should not be dismissed for the reasons noted above. **Failure to respond to the OSC by the deadline set forth above shall be deemed as consent to the dismissal of this action.**

2. Defendants shall file a reply to plaintiff’s OSC response no later than **May 14, 2018**.

3. A copy of all papers filed with the court shall be delivered to the drop box for Judge Olguin outside the Clerk’s Office, located on the fourth floor of the First Street Courthouse, **no later than 12:00 noon the following business day**. All chambers copies shall comply fully with the document formatting requirements of Local Rule 11-3, including the “backing” requirements of Local Rule 11-3.5. Counsel may be subject to sanctions for failure to deliver a mandatory

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chambers copy in full compliance with this Order and Local Rule 11-3.

Initials of Preparer 00 : 00
vdr