

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. **CV 18-3599 FMO (ASx)** Date **May 14, 2018**

Title **Beijing Abace Biotechnology Co., Ltd., et al. v. ADV Biolabs, Inc., et al.**

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: Jurisdiction

On April 27, 2018, plaintiffs filed a complaint against several defendants based on diversity jurisdiction. (See Dkt. 1, Complaint). However, the jurisdictional allegations appear to be defective since plaintiff Beijing Abace Biotechnology Co., Ltd, is a Chinese limited liability company that is "100% owned" by Wen Yi Zhang, (see id. at ¶ 6), but the Complaint does not set forth Wen Yi Zhang's citizenship. (See, generally, Complaint). Moreover, the Complaint sets forth the residence, rather than the citizenship, of some of the parties. Diversity is based on citizenship, not residency.

Accordingly, IT IS ORDERED that no later than **May 18, 2018**, plaintiffs shall show cause in writing why this action should not be dismissed for lack of diversity jurisdiction. The response shall include as necessary declarations regarding citizenship. **Failure to respond to the OSC by the deadline set forth above shall be deemed as consent to dismissal of the action for lack of subject matter jurisdiction.**

Initials of Preparer 00 : 00
vdr