UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.	**CV 15–00162 BRO (DTBx)**	Date	January 29, 2015
Title	**MIKE SPANOS V. U.S. BANCORP ET AL.**		

Present: The Honorable	**BEVERLY REID O'CONNELL, United States District Judge**

Renee A. Fisher	Not Present	N/A
Deputy Clerk	Court Reporter	Tape No.

Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
Not Present	Not Present

Proceedings: (IN CHAMBERS)

ORDER TO SHOW CAUSE RE: SUBJECT MATTER JURISDICTION

Plaintiff Mike Spanos ("Plaintiff") initiated this action on January 26, 2015. (Dkt. No. 1.) Plaintiff filed the Complaint following a foreclosure on his home, located at 13354 Viejo Circle, Victorville, California. (Compl. ¶¶ 1, 7.) Plaintiff currently faces eviction under a state unlawful detainer action . (*Id.* ¶ 7.) The Complaint names four defendants: (1) U.S. Bancorp; (2) Servis One, Inc.; (3) Cal-Western Reconveyance, LLC; and (4) Eagle Vista Equities, LLC (collectively, "Defendants").

Federal courts are courts of limited jurisdiction. They possess original jurisdiction only as authorized by the Constitution and federal statute. *See, e.g.*, *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 (1994). Original jurisdiction may be established pursuant to 28 U.S.C. § 1332. Under § 1332, a federal district court has "original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of $75,000, exclusive of interest and costs," and the dispute is between "citizens of different states." *Id.* § 1332(a)(1). The United States Supreme Court has interpreted the diversity statute to require "complete diversity of citizenship," meaning each plaintiff must be diverse from each defendant. *Caterpillar Inc. v. Lewis*, 519 U.S. 61, 67–68 (1996). For purposes of diversity jurisdiction, a limited liability corporation is considered a citizen of every state in which its owners or members are citizens. *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006).

The Complaint fails to invoke this Court's federal subject matter jurisdiction under 28 U.S.C. §1332. As an initial matter, the Complaint does not allege an amount in

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controversy. (*See generally* Compl.) Plaintiff does seek general, exemplary, and special damages, as well as punitive damages and attorneys' fees. (*See id.* Prayer for Relief.) But Plaintiff does not demand any specific amount of damages. Without any allegations regarding the amount in controversy, the Court will not infer that it exceeds $75,000.

Moreover, the allegations related to the parties' citizenship are insufficient to establish complete diversity. Plaintiff is a resident of California. (*Id.* ¶ 1.) Plaintiff alleges that Defendants U.S. Bancorp and Servis One, Inc. are Delaware corporations with a principal place of business in Minnesota and Texas, respectively. (*Id.* ¶¶ 3, 4.) Plaintiff also alleges that Defendants Cal-Western Reconveyance, LLC and Eagle Vista Equities, LLC (the "LLC Defendants") are California limited liability companies. (*Id.* ¶¶ 5, 6.) But Plaintiff only alleges the LLC Defendants' principal places of business. (Compl. ¶¶ 5, 6.) To properly demonstrate complete diversity, Plaintiff must allege the citizenship of each member or owner of the LLC Defendants.

Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE** why this case should not be remanded for lack of subject matter jurisdiction. An appropriate response to this Order will (1) demonstrate that the amount in controversy exceeds $75,000, and (2) identify the members or owners of the LLC Defendants, as well as every state in which every member or owner is a citizen. Plaintiff's response to this Order shall be filed **no later than Friday, February 6, 2015, by 4:00 p.m.**

IT IS SO ORDERED.

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