

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
EASTERN DIVISION**

Lincoln Benefit Life Insurance  
Company,  
  
Plaintiff,  
  
v.  
  
Arlan Flaum,  
  
Defendant.

EDCV 15-1286-VAP (KKx)

**ORDER TO SHOW CAUSE RE:  
SUBJECT MATTER  
JURISDICTION (IN CHAMBERS)**

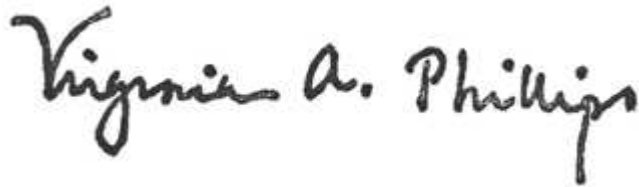
Plaintiff Lincoln Benefit Life Insurance Company (“Plaintiff”) filed its Complaint in front of this court alleging diversity jurisdiction. (See Doc. 1, “Complaint.”) Defendant Arlan Flaum (“Flaum”) filed a Counterclaim against Plaintiff and Laurie Rich Larsen (“Larsen”). (Doc. No. 12, “Counterclaim.”) In his counterclaim, Flaum alleges that he is a resident of the County of Riverside, California, and Larsen also is a resident of the County of Riverside, California. (Id. at 2.) On February 10, 2016, Plaintiff and Flaum stipulated to dismiss their claims against each other. (Doc. No. 36.) The only remaining claim is Flaum’s claim against Larsen for elder abuse under California Welfare and Institutions Code §§ 1510.63, 15657, and 1510.5.

District courts have diversity jurisdiction over a case where, inter alia, the matter in controversy exceeds the sum or value of \$75,000, and the case is between “citizens of a different state.” See 28 U.S.C. § 1332(a). As both Flaum and Larsen

are citizens of California, the Court is not convinced the diversity requirement is met.

Accordingly, the Court issues this Order to Show Cause Re Subject Matter Jurisdiction. Counterclaimant Flaum must respond, in writing, by February 25, 2016, with evidence that the diversity requirement is met. Failure to file a timely response to this Order to Show Cause will result in the dismissal of this action.

**IT IS SO ORDERED.**

A handwritten signature in black ink that reads "Virginia A. Phillips". The signature is written in a cursive, flowing style.

Dated: 2/11/16

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Virginia A. Phillips  
United States District Judge