

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SACV 12-525 JVS (JPRx) Date April 20, 2012

Title Cox v. PCO Innovation Corp.

Present: The Honorable James V. Selna

Karla J. Tunis
Deputy Clerk

Not Present
Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (In Chambers) Order to Show Cause re Jurisdiction

The Court has made a preliminary review of the jurisdictional allegations in the:

Complaint, filed

Notice of Removal (“Notice”) filed April 6, 2012

by Brian Cox (“Cox”).

The initial pleading invokes jurisdiction in this Court on the basis of diversity of citizenship, 28 U.S.C. § 1332. (Notice, ¶ 9.) Jurisdiction on this basis requires complete diversity.

The following parties to the action are alleged to be a limited liability companies (“LLCs”):

PCO Innovation Corp.

For purposes of diversity jurisdiction, an LLC takes on the citizenship of each of its members. Johnson v. Columbia Properties Anchorage, LP, 437 F.3d 894, 899 (9th Cir. 2006); Cosgrove v. Bartolotta, 150 F.3d 729, 731 (7th Cir. 1998); Keith v. Black Diamond Advisors, Inc., 48 F. Supp. 2d 326, 329-30 (S.D. N.Y. 1999). In order to determine diversity, the Court must consider the citizenship of each LLC member, and if a member is an LLC, the citizenship of its members. Presently, the Court cannot tell if jurisdiction has been properly invoked.

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Cox is ordered to file an amended initial pleading within 15 days identifying each member of each alleged LLC and the member's citizenship and principal place of business as the date of the filing of the initial pleading. If any member is itself an LLC, the same information shall be provided for each subtier member, and if need be, for each successive subtier.

A failure to respond may result in remand of the case to the Superior Court of the State of California for lack of jurisdiction.

Initials of Preparer

_____: ____00

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