

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	SACV 15-115 AG (JCGx)	Date	April 21, 2015
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Title	SANDRA BURGA, et al. v. THE HAIN CELESTIAL GROUP, INC.
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Present: The Honorable	ANDREW J. GUILFORD
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Lisa Bredahl	Not Present	
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Deputy Clerk	Court Reporter / Recorder	Tape No.
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Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

**Proceedings: [IN CHAMBERS] ORDER TO SHOW CAUSE  
CONCERNING SUBJECT MATTER JURISDICTION**

Plaintiffs Sandra Burga and Alison Conforti (collectively, “Plaintiffs”) filed this putative class action against Defendant The Hain Celestial Group, Inc. (“Defendant”) alleging that Defendant falsely markets its teas as “100% Natural.” (Dkt. No. 1.) Plaintiffs assert that the Court has subject matter jurisdiction over this action under the Class Action Fairness Act (“CAFA”).

**LEGAL STANDARD**

“Federal courts ‘jealously’ guard their own jurisdiction and, where appropriate, will dismiss a case for lack of subject matter jurisdiction even if the issue is not raised by the parties.” *RDF Media Ltd. v. Fox Broad. Co.*, 372 F. Supp. 2d 556, 560 (C.D. Cal. 2005). “The plaintiff in a case bears the burden of establishing that the court has jurisdiction.” *Id.* at 560 (citing *Rio Props., Inc. v. Rio Int’l Interlink*, 284 F.3d 1007, 1019 (9th Cir. 2002)).

CAFA vests the Court with “original jurisdiction of any civil action in which the matter in controversy exceed the sum or value of \$5,000,000, exclusive of interest and costs” and where “any member of a class of plaintiffs is a citizen of a State different from any defendant.” *See* 28 U.S.C. 1332(d).

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**ANALYSIS**

The Complaint states that Plaintiff Burga is a resident of Orange County, California and that Plaintiff Conforti is a resident of Brooklyn, Kings County, New York. (Complaint, Dkt. No. 1, at 8.) Plaintiffs do not allege their citizenship and without that information, the Court cannot determine whether minimum diversity exists to satisfy CAFA's requirements.

**DISPOSITION**

Accordingly, the Court ORDERS Plaintiffs to show cause in writing within 14 days of this Order why this action should not be dismissed for lacking minimum diversity. Defendant may submit a response within seven days of Plaintiffs' filing. Alternatively, Plaintiffs may stipulate to a dismissal.

Initials of Preparer \_\_\_\_\_ : \_\_\_\_\_  
lmb \_\_\_\_\_