

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	SACV 16-1190 AG (GJSx) SACV 16-1186 AG (SKx) SACV 16-1224 AG (DFMx)	Date	July 11, 2016
Title	PRIME HEALTHCARE LA PALMA v. HEALTHCARE PARTNERS, LLC PRIME HEALTHCARE LA PALMA v. TALBERT MEDICAL GROUP PRIME HEALTHCARE HUNTINGTON BEACH v. TALBERT MEDICAL GROUP		

Present: The
Honorable

ANDREW J. GUILFORD

Lisa Bredahl

Not Present

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

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

Plaintiffs Prime Healthcare La Palma and Prime Healthcare Huntington Beach brought three lawsuits in state court against various health care insurers, alleging that the insurers reimbursed Plaintiffs at artificially deflated value. In all three complaints, Plaintiffs bring the same five state law causes of action.

Defendants removed the complaints seeking to invoke this Court's federal question jurisdiction. Defendants argue that the Employee Retirement and Income Security Act of 1974 ("ERISA") completely preempts three of Plaintiff's state law causes of action, as Plaintiff is seeking to enforce terms of ERISA health benefit plans for certain patients. Yet for two of the complaints, "Defendant cannot identify with certainty which of the health benefit plans . . . that Plaintiff seeks to enforce in the Third, Fourth and Fifth Causes of Action are governed under ERISA." For the other complaint, Defendant states that "at least some of Plaintiff's claims for payment are for . . . members with health benefit plans."

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The Court is concerned that it lacks jurisdiction over these state law causes of action. And the Court must jealously guard its jurisdiction. *Olmos v. Residential Credit Sols., Inc.*, 92 F. Supp. 3d 954, 955 (C.D. Cal. 2015). Accordingly, Defendants are ORDERED TO SHOW CAUSE as to why these cases should not be remanded for lack of jurisdiction. Defendants are directed to file a brief not exceeding 12 pages discussing why this Court has jurisdiction over these cases by **July 22, 2016**. Plaintiff may respond in a brief also not exceeding 12 pages by **July 29, 2016**.

Initials of Preparer _____ : _____
lmb
