

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No. SACV 17-00716 JVS (KESx) Date June 6, 2017

Title Peregrine Falcon LLC, et al. v. Eaton Aerospace, LLC, et al.

Present: The Honorable James V. Selna

Karla J. Tunis

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

**Proceedings: (IN CHAMBERS) Order To Show Cause re Lack of Jurisdiction**

The Court has made a preliminary review of the jurisdictional allegations in the Notice of Removal (“Notice”) filed April 19, 2017 by Eaton Aerospace, LLC (“Eaton”). Eaton invokes the jurisdiction of this Court on the basis of diversity of citizenship, 28 U.S.C. § 1332. (Notice, ¶ 4.) Jurisdiction on this basis requires complete diversity.

The Complaint and the Notice allege that Peregrine Falcon LLC (“Peregrine”) is a limited liability company. (Complaint, ¶ 1; Notice, ¶ 5(a).)

For purposes of diversity jurisdiction, a limited liability company takes on the citizenship of each of its members. Johnson v. Columbia Properties Anchorage, LP, 437 F.3d 894, 899 (9<sup>th</sup> Cir. 2006); Cosgrove v. Bartolotta, 150 F.3d 729, 731 (7<sup>th</sup> 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.

Eaton is ordered to file an amended Notice within 15 days identifying each member of Peregrine and the member’s citizenship and principal place of business as of April 19, 2017. 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. .

Initials of Preparer

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