

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No. SACV 17-01675 JVS (JDEx) Date November 17, 2017

Title China Shenyang Hongqiao Oil Production Co., Ltd. v. Atlantic Ventures LLC

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:

X Complaint, filed September 26, 2017

Notice of Removal (“Notice”) filed

by China Shenyang Hongqiao Oil Production Co., Ltd. *et al.* (“China Shenyang”).

The initial pleading invokes jurisdiction Court on the basis of diversity of citizenship, 28 U.S.C. § 1332. (Complaint, ¶ 18.) Jurisdiction on this basis requires complete diversity.

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

Atlantic Ventures LLC  
D2Healthcoach, LLC  
CTCI, LLC

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 (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

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a member is an LLC, the citizenship of its members. Presently, the Court cannot tell if jurisdiction has been properly invoked.

China Shenyang 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 dismissal of the case for lack of jurisdiction.**

Initials of Preparer

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