

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No. SACV 18-639 JVS (JDEx) Date June 15, 2018

Title Security National Insurance Company v. M E.S. Construction Engineering, Inc.

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) Further Order to Show Cause re Jurisdiction**

The Court has made a preliminary review of Security National Insurance Company's ("Security National") First Amended Complaint filed in response to the Court's Order to Show Cause. (Docket No. 18.) Some but not all of the problems have been cured and another has arisen.

With respect to Casa Apartments LP, the Court advised:

A limited partnership takes on the citizenship of all of its members. Carden v. Arkoma Associates, 494 U.S. 185, 195-97 (1990). The limited partners in Casa Apartments LP are not identified nor is their citizenship.

(Docket No. 17, pp. 1-2.) Security National identifies the general partner as Casa Apartments GI, LLC ("Casa LLC") and its manager, but not the limited partners. (First Amended Complaint, p 7.)

In addition, special rules apply to limited liability companies ("LLCs"). 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 a member is an LLC, the citizenship of its members. Presently, the Court cannot tell if jurisdiction has been properly invoked.

Security Nations is ordered to file an amended pleading within 15 days

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identifying (a) the limited partners of Casa Apartments LP, and (b) for Casa LLC each 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 for lack of jurisdiction.**

Initials of Preparer \_\_\_\_\_ : \_\_\_\_\_ 00  
kjt \_\_\_\_\_