

IN THE UNITED STATES DISTRICT COURT  
 FOR THE EASTERN DISTRICT OF CALIFORNIA

PRIME HEALTHCARE SERVICES-  
 SHASTA, LLC, a Delaware limited  
 liability company doing business  
 as Shasta Regional Medical  
 Center,

Plaintiff,

v.

BLUE CROSS-BLUE SHIELD OF  
 ALABAMA, an Alabama corporation;  
 and DOES 1 through 100,  
 Inclusive,

Defendant.

2:11-cv-02644-GEB-CKD

RELATED CASE ORDER; AND ORDER  
 REMANDING CASES

PRIME HEALTHCARE SERVICES-  
 SHASTA, LLC, a Delaware limited  
 liability company doing business  
 as Shasta Regional Medical  
 Center,

Plaintiff,

v.

REGENCE BLUE CROSS CLUE SHIELD  
 OF OREGON, an Oregon  
 Corporation, and DOES 1 through  
 100, Inclusive,

Defendant.

2:11-cv-02665-JAM-CMK

PRIME HEALTHCARE SERVICES-  
 SHASTA, LLC, a Delaware limited  
 liability company doing business  
 as Shasta Regional Medical  
 Center,

Plaintiff,

v.

2:11-cv-02666-MCE-CMK

1 )  
2 BCBST, INC., a Tennessee )  
3 Corporation; and DOES 1 through )  
4 100, Inclusive, )  
5 Defendant. )  
6 )  
7 PRIME HEALTHCARE SERVICES- )  
8 SHASTA, LLC, a Delaware limited )  
9 liability company doing business )  
10 as Shasta Regional Medical )  
11 Center, )  
12 Plaintiff, )  
13 v. )  
14 )  
15 HIGHMARK BLUE CROSS CLUE SHIELD )  
16 OF PENNSYLVANIA, a Pennsylvania )  
17 Corporation; and DOES 1 through )  
18 100, Inclusive, )  
19 Defendant. )  
20 )  
21 PRIME HEALTHCARE SERVICES- )  
22 SHASTA, LLC, a Delaware limited )  
23 liability company doing business )  
24 as Shasta Regional Medical )  
25 Center, )  
26 Plaintiff, )  
27 v. )  
28 )  
HEALTH CARE SERVICE CORPORATION, )  
a Mutual Legal Reserve Company, )  
doing business as Blue Cross )  
Blue Shield of Illinois, Blue )  
Cross Blue Shield of Texas, Blue )

2:11-cv-02667-JAM-CMK

2:11-cv-02668-MCE-CMK

2:11-cv-02669-MCE-CMK

1 Cross Blue Shield of New Mexico, )  
2 Blue Cross Blue Shield of )  
3 Oklahoma; and DOES 1 through )  
4 100, Inclusive, )  
5 Defendant. )

6 PRIME HEALTHCARE SERVICES- )  
7 SHASTA, LLC, a Delaware limited )  
8 liability company doing business )  
9 as Shasta Regional Medical )  
10 Center, )

11 Plaintiff, )

12 v. )

13 BCBSM, INC., a Minnesota )  
14 Corporation; and DOES 1 through )  
15 100, Inclusive, )

16 Defendant. )

17 PRIME HEALTHCARE SERVICES- )  
18 SHASTA, LLC, a Delaware limited )  
19 liability company doing business )  
20 as Shasta Regional Medical )  
21 Center, )

22 Plaintiff, )

23 v. )

24 BLUE CROSS BLUE SHIELD OF NORTH )  
25 CAROLINA, a North Carolina )  
26 Corporation, and DOES 1 through )  
27 100, Inclusive, )

28 Defendant. )

2:11-cv-02670-JAM-CMK

2:11-cv-02691-GEB-CMK

23 A "Notice of Related Cases" document has been filed in which  
24 it is asserted that the above-captioned actions concern "the same or  
25 substantially related . . . or similar questions of law and fact[.]"

26 The above-captioned actions are related within the meaning of  
27 Local Rule 123. Under the regular practice of this Court, related cases  
28

1 are generally assigned to the judge and magistrate judge to whom the  
2 first filed case was assigned.

3           Therefore, actions 2:11-cv-02665-JAM-CMK, 2:11-cv-02666-MCE-  
4 CMK, 2:11-cv-02667-JAM-CMK, 2:11-cv-02668-MCE-CMK, 2:11-cv-02669-MCE-  
5 CMK, and 2:11-cv-02670-JAM-CMK are reassigned to Judge Garland E.  
6 Burrell, Jr., and to Magistrate Judge Carolyn K. Delaney. Further, 2:11-  
7 cv-02691-GEB-CMK is reassigned to Magistrate Judge Delaney. Henceforth  
8 the caption on any document filed in the reassigned actions shall  
9 include the following initials: "GEB-CKD."

10           The Clerk of the Court shall make appropriate adjustment in  
11 the assignment of civil cases to compensate for these reassignments.

12           Further, the Court sua sponte considers whether subject matter  
13 removal jurisdiction exists. Each case was removed from state court on  
14 the basis of diversity removal jurisdiction, which has not been shown to  
15 exist.

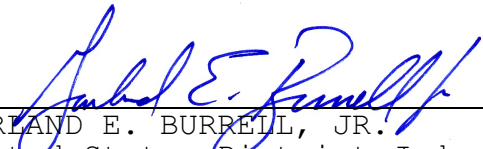
16           "There is a strong presumption against removal jurisdiction,  
17 and the removing party has the burden of establishing that removal is  
18 proper." Lindley Contours, LLC v. AABB Fitness Holdings, Inc., 2011 WL  
19 398861, at \*1 (9th Cir. Feb. 8, 2011) (internal quotation marks  
20 omitted). Although the basis of removal of each case is asserted to be  
21 diversity jurisdiction, the removant has not sufficiently alleged the  
22 citizenship of all owners/members of Plaintiff Prime Healthcare  
23 Services-Shasta, LLC. "For purposes of diversity jurisdiction, . . . a  
24 limited liability corporation is a citizen of all of the states of which  
25 its owners/members are citizens. . . . [;and,] the citizenship of all  
26 members of limited liability corporations . . . [must] be alleged." Id.

27           Since the removant has failed to show diversity of citizenship  
28 removal jurisdiction, each case is remanded to the California Superior

1 Court in the County of Shasta, from which it was removed, as required by  
2 28 U.S.C. § 1447(c) for lack of subject matter jurisdiction under 28  
3 U.S.C. § 1332(a)(1).

4 IT IS SO ORDERED.

5 Dated: November 22, 2011

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9 GARLAND E. BURRELL, JR.  
10 United States District Judge  
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