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28IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DEMAN SALOMON MYVETT, et al.,

No. C-08-5797 MMC

Plaintiffs,

ORDER TO SHOW CAUSE

v.

LITTON LOAN SERVICING, L.P.,

Defendant.

On January 8, 2009, the Court ordered plaintiffs to show cause, in writing and no later than January 30, 2009, why the above-titled action should not be dismissed for lack of subject matter jurisdiction, for the reason that plaintiffs' complaint alleged solely state law causes of action and failed to allege either the place of incorporation or the principal place of business of defendant Litton Loan Servicing, L.P. (See Order filed Jan. 8, 2009.) On January 28, 2009, plaintiffs filed an Amended Complaint. Although, in said Amended Complaint, plaintiffs allege defendant's "home office" is located in Houston, Texas (see FAC ¶ 2), plaintiffs again have failed to allege defendant's place of incorporation. See 28 U.S.C. § 1332(c)(1) (providing "a corporation shall be deemed to be a citizen of any State by which it has been incorporated and of the State where it has its principal place of business").

Accordingly, plaintiffs are hereby ORDERED TO SHOW CAUSE, in writing and no

1 later than February 13, 2009, why the instant action should not be dismissed for lack of
2 subject matter jurisdiction and without prejudice to plaintiffs' filing their claims in state court.

3 **IT IS SO ORDERED.**

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5 Dated: January 30, 2009


MAXINE M. CHESNEY
United States District Judge

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