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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 CREDITORS TRADE ASSOCIATION, INC., No. C-12-3110 MMC
12 Plaintiff,
13 v.
14 GLOBALWARE SOLUTIONS, INC., et al.,
15 Defendants.
16

**ORDER DIRECTING PLAINTIFF TO
SHOW CAUSE WHY ACTION SHOULD
NOT BE DISMISSED FOR LACK OF
SUBJECT MATTER JURISDICTION**

17 In their Joint Case Management Statement, filed April 19, 2013, the parties set forth
18 their disagreement as to whether the parties are diverse in citizenship. Thereafter, at the
19 Case Management Conference, conducted April 26, 2013, counsel for defendants David I.
20 Beatson ("Beatson") and John P. Viliesis ("Viliesis") directed the Court's attention to a
21 declaration, signed by defendant Beatson and filed January 25, 2013 in support of a motion
22 to set aside a default judgment, in which Beatson states he has resided in Hillsborough,
23 California since 1996.¹

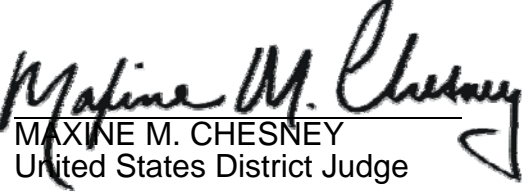
24 In light of the above-referenced evidence that Beatson is and for many years has
25 been a citizen of California, plaintiff is hereby ORDERED TO SHOW CAUSE, in writing and
26 no later than May 10, 2013, why the instant action should not be dismissed for lack of
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28 ¹In its complaint, filed June 15, 2012, plaintiff alleges jurisdiction is proper in the district court because it is a California corporation (see Compl. ¶ 1) and all defendants are "residents of Massachusetts" (see Compl. at 2:5, ¶ 4).

1 subject-matter jurisdiction. See Fed. R. Civ. P 12(h)(3) ("If the court determines at any
2 time that it lacks subject-matter jurisdiction, the court must dismiss the action.").
3 Defendants Beatson and Viliesis shall file any response no later than May 17, 2013, on
4 which date, unless the parties are otherwise advised, the Court will take the matter under
5 submission.

6 **IT IS SO ORDERED.**

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8 Dated: April 26, 2013


MAXINE M. CHESNEY
United States District Judge