## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA DANIEL LONG, No. C-13-2919 EMC Plaintiff, FURTHER ORDER TO SHOW CAUSE v. FORTY NINERS FOOTBALL COMPANY LLC, et al., Defendants.

On Friday, October 18, 2013, Defendant Forty Niners Football Company LLC responded to this Court's October 16, 2013 order to show cause as to why this case should not be dismissed for lack of jurisdiction. In its response, Defendant indicated that it is a single member limited liability company and that the single member is Forty Niners Holding, LP, a Delaware limited partnership.

In light of the Defendant's response, additional information is required for this Court to be able to determine if diversity jurisdiction is appropriate under 28 U.S.C. § 1332. Limited partnerships, like limited liability companies, are deemed to have the citizenship of each partner (whether that partner is a limited partner or a general partner). *See Johnson v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006) ("[A]n unincorporated association such as a partnership has the citizenships of all of its members."); *see also V&M Star, LP v. Centimark Corp.*, 596 F.3d 354, 355 (6th Cir. 2009) (""[F]or purposes of determining diversity jurisdiction, a limited partnership is deemed to be a citizen of every state where its general *and* limited partners reside."" (citation omitted)).

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Because Forty Niners Holding, L.P. is a member of Defendant, this Court must know the citizenship of each of its general and limited partner to determine if diversity jurisdiction is appropriate. This case is analogous to Johnson. In that case, the Defendant was a limited partnership that had two partners—each a limited liability company. See Johnson, 437 F.3d at 899. As a result, the Ninth Circuit examined the citizenship of each limited liability company which, because an LLC is an unincorporated association, required an analysis into the citizenship of each of the LLC members. Id.

Accordingly, the parties are further **ORDERED** to **SHOW CAUSE** why this case should not be dismissed for lack of diversity jurisdiction. Specifically, Defendant shall file by noon, Tuesday, October 22, 2013, a statement which lists each partner of Forty Niners Holding, L.P. and the State of which they are citizens. To the extent that an unincorporated entity is a partner of Forty Niners Holding, L.P., Defendant shall, in turn, list the citizenship of each of that entity's members. See Hicklin Engineering, L.C. v. Bartell, et al., 439 F.3d 346 (7th Cir. 2006) ("A federal court thus needs to know each member's citizenship, and if necessary each member's members' citizenships.").

To the extent Plaintiff wishes to respond to the Defendant's statement, he shall do so by noon, Wednesday, October 23, 2013.

IT IS SO ORDERED.

Dated: October 18, 2013

United States District Judge