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

FELICIDAD GUMBAO,  
 Plaintiff,

No. C 13-03952 WHA

v.

**ORDER TO SHOW CAUSE RE  
 FEDERAL JURISDICTION**

AURORA BANK; NATIONSTAR  
 MORTGAGE; DOES 1 TO 10, inclusive,  
 Defendants.

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On August 26, 2013, defendants Nationstar Mortgage LLC and Aurora Bank FSB removed this action to federal court on the basis of diversity jurisdiction. Two days before defendants declined to consent to proceed in front of Magistrate Judge Cousins, Judge Cousins issued to defendants an order to show cause why removal was proper. Defendants have not yet filed a response.

After independently reviewing the submitted documents, this order concurs with Judge Cousins that defendants have not yet met their burden to establish federal jurisdiction. *California ex rel. Lockyer v. Dynege, Inc.*, 375 F.3d 831, 838, amended by 387 F.3d 966 (9th Cir. 2004) (“The removal statute is strictly construed against removal jurisdiction.”).

Defendants have until **SEPTEMBER 13, 2013, AT NOON**, to show cause why their removal is proper. In their response, defendants must address two issues. *First*, defendants must answer whether they have been served, and if so, when. *Second*, defendant Nationstar must state the citizenship of all of its members. *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894,

1 899 (9th Cir. 2006) (“like a partnership, an LLC is a citizen of every state of which its  
2 owners/members are citizens.”). If any member of Nationstar is itself a partnership, association,  
3 or limited liability corporation, then Nationstar must state the citizenship of each “sub-member”  
4 as well.

5 If defendants do not establish that removal was proper, then this action will be remanded  
6 back to state court.

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8 **IT IS SO ORDERED.**

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10 Dated: September 9, 2013.



11 WILLIAM ALSUP  
12 UNITED STATES DISTRICT JUDGE

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