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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH RAKOFSKY,  
Plaintiff,

v.

MERCEDES-BENZ USA, LLC, and others,  
Defendants.

Case No. 22-cv-04427-NC

**ORDER TO SHOW CAUSE  
WHY CASE SHOULD NOT BE  
REMANDED**

Re: ECF 1

On July 29, 2022, Defendant Mercedes-Benz USA, LLC (MBUSA) removed this case from Monterey County Superior Court. ECF 1. In its removal notice, MBUSA alleges that removal is proper under diversity jurisdiction. *Id.* ¶ 4. In its analysis, MBUSA recounts the proper citizenship test for LLCs but fails to identify its members and their citizenships. *See id.* ¶ 6. Similarly, MBUSA properly cites the citizenship test for corporations but fails to identify the state of incorporation<sup>1</sup> and principal place of business of Defendant Mercedes-Benz of Monterey. *See id.* ¶ 8.

Accordingly, the Court ORDERS MBUSA to show cause in writing why this case should not be remanded by **August 8, 2022**. The Court also reminds all parties to consent or decline magistrate judge jurisdiction under 28 U.S.C. § 636(c) by **August 15, 2022**.

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<sup>1</sup> MBUSA misquotes this element as “the state in which its located.” ECF 1 ¶ 8. It should be “the state in which it is *incorporated*.” *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006) (emphasis added).

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**IT IS SO ORDERED.**

Dated: August 1, 2022

  
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NATHANAEL M. COUSINS  
United States Magistrate Judge