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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 DON ALLEN,

12 Plaintiff,

13 v.

14 ESA MANAGEMENT, LLC dba
15 EXTENDED STAY AMERICA,

16 Defendant.

Case No.: 18-cv-0066-BTM-NLS

**ORDER REGARDING
DEFENDANT'S RESPONSE TO
ORDER TO SHOW CAUSE**

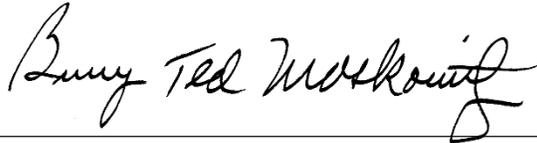
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18 On February 9, 2018, Defendant ESA Management, LLC filed a response to
19 this Court's January 16, 2018 order to show cause asking Defendant to provide
20 facts regarding its members' citizenships. (ECF No. 6.) Defendant states that it is
21 comprised of a sole member, Extended Stay America, Inc., which is incorporated
22 in the state of Delaware. Defendant, however, has not provided where Extended
23 Stay America holds its principal place of business. A corporation is a citizen of the
24 state in which it is incorporated as well as the state in which it has a principal place
25 of business. 28 U.S.C. § 1332(c)(1). Because it is unclear where Extended Stay
26 America has its principal place of business, Defendant has not met its burden of
27 establishing diversity jurisdiction. *See Sanchez v. Monumental Life Ins. Co.*, 102
28 F.3d 398, 403 (9th Cir. 1996) (concluding that in a removed diversity case,

1 defendants bear the burden of providing the facts to support jurisdiction).

2 Accordingly, Defendant is ordered to appear at the order to show cause
3 hearing on February 16, 2018 at 11:00 a.m. and provide the Court with the requisite
4 information to establish diversity jurisdiction.

5 **IT IS SO ORDERED.**

6 Dated: February 14, 2018



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8 Barry Ted Moskowitz, Chief Judge
9 United States District Court

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