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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

IGOR SALVA, et al.,

Plaintiffs,

CASE NO. 18cv384-LAB (JLB)

ORDER OF REMAND

vs.

NBS DEFAULT SERVICES, LLC, et al.,

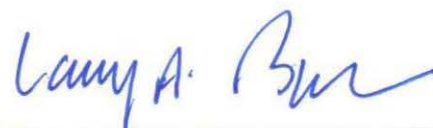
Defendants.

Plaintiffs sued Wells Fargo Bank and three other entities for various state law claims. Wells Fargo removed the action based on diversity of citizenship. But as the party seeking removal, Wells Fargo had the burden to establish original jurisdiction; in this case, by properly alleging complete diversity. 28 U.S.C. §§ 1332, 1441. Here, the notice of removal fails to state the citizenship for each member of Breckenridge Property Fund 2016, LLC, and NBS Default Services, LLC. See *Lindley Contours, LLC v. AABF Fitness Holdings, Inc.*, 414 F. App'x 62, 65 (9th Cir. 2011) (remanding for lack of jurisdiction after failing to allege LLC members' citizenship). Instead, Wells Fargo offered a principal place of business for these limited liability corporations. That's not the test in the Ninth Circuit. See *Johnson v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006) (holding "an LLC is a citizen of every state of which its owners/members are citizens"). The case is remanded to the San Diego Superior Court. 28 U.S.C. § 1447(c).

IT IS SO ORDERED.

Dated:

2-26-18



HONORABLE LARRY ALAN BURNS
United States District Judge