

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Raymond P. Moore**

Civil Action No. 15-cv-00245-RM-MJW

WESTROC TRUCKING, INC., and
WESTROC OILFIELD SERVICES, INC.,

Plaintiffs,

v.

FRONTIER DRILLING, LLC,

Defendant

and

FRONTIER DRILLING, LLC,

Counterclaim Plaintiff,

v.

WESTROC TRUCKING, INC.,

Counterclaim Defendant.

ORDER

THIS MATTER is before the Court on the Order to Show Cause (ECF No. 18) and “Plaintiffs’ and Counterclaim Defendant’s Response to April 3, 2015 Order to Show Cause” (ECF No. 22, the “Response”). Plaintiffs’ Amended Complaint (ECF No. 4, the “Complaint”) alleges this Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332(a) (diversity). (*Id.* at ¶5.) However, the sole allegation in the Complaint regarding Defendant Frontier Drilling,

LLC's citizenship is the assertion that it is a Colorado limited liability company with its principal place of business in Oklahoma City, Oklahoma. (*Id.* at ¶3.) Because a limited liability company's citizenship is identified by reference to the citizenship of each of its members, *Siloam Springs Hotel, L.L.C. v. Century Sur. Co.*, No. 14-6119, ___F.3d___, 2015 WL 1430335, at *1 (10th Cir. Mar. 31, 2015), and because Plaintiffs did not make any allegations regarding the citizenship of Frontier Drilling's individual members, the Order to Show Cause requested Plaintiffs to show why this case should not be dismissed due to this Court's lack of subject matter jurisdiction. (ECF No. 18 at 3.)

The Response asserts that "Frontier is a single member limited liability company, and that member is a citizen and domiciliary of Wyoming" and attaches an email from Frontier Drilling's counsel affirming the same. (ECF Nos. 22 at 2; 22-1 at 2.) Based on the evidence offered in the Response, the Court finds that diversity exists among the parties and will exercise diversity jurisdiction pursuant to 28 U.S.C. §1332(a).

It is therefore ORDERED that the Order to Show Cause (ECF No. 18) is DISCHARGED.

DATED this 20th day of April, 2015.

BY THE COURT:



RAYMOND P. MOORE
United States District Judge