

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

Civil Action No. 21-cv-00959-RM-STV

MICHAEL HUTTNER, an individual,

Plaintiff,

v.

MATTIO COMMUNICATIONS, LLC,
a Delaware limited liability company

Defendant.

ORDER TO REMAND

This matter is before the Court after reviewing this matter and finding Defendant failed to supplement its response to the Order to Show Cause to show that subject matter jurisdiction based on diversity of citizenship exists. (See ECF Nos. 11, 14, 17.) Specifically, the Magistrate Judge issued an Order to Show Cause as to why this removed action should not be remanded due to this Court's lack of subject matter jurisdiction. Defendant responded to the Order to Show Cause and the Magistrate Judge found the response sufficient. The Court, however, found the response was insufficient to show complete diversity exists because Defendant failed to show the citizenships of the *limited* partners of Gould Investors LP, a master limited partnership. See *Carden v. Arkoma Assocs.*, 494 U.S. 185, 192-196 (1990) (discussing citizenship of limited partnerships); *Grynberg v. Kinder Morgan Energy Partners, L.P.*, 805 F.3d 901, 903 (10th Cir. 2015) (discussing citizenship of master limited partnership). The Court allowed Defendant to supplement its response but it failed to do so. Accordingly, diversity jurisdiction has not been shown. It is therefore **ORDERED**

- (1) That the Minute Order (ECF No. 15) discharging the Order to Show Cause is **VACATED**;
- (2) That the Order to Show Cause, as supplemented, (ECF Nos. 11 and 17) is **MADE ABSOLUTE**; and
- (3) That, pursuant to 28 U.S.C. § 1447(c), due to this Court's lack of subject matter jurisdiction, this case is **REMANDED** to the District Court, Denver County, State of Colorado, where it was originally filed as Case number 2021CV31051.

DATED this 28th day of April, 2021.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Raymond P. Moore", written over a horizontal line.

RAYMOND P. MOORE
United States District Judge