

United States District Court
for the
Southern District of Florida

Paul Golden, Plaintiff,)	
)	
v.)	Civil Action No. 17-23241-Civ-Scola
)	
Jericho All-Weather Opportunity)	
Fund, LP, and others, Defendants.)	

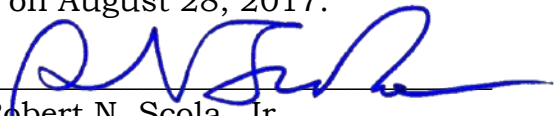
Order Requiring Amended Complaint

Federal courts are obligated to conduct a preliminary examination of the record to determine that jurisdiction exists. *Kelly v. Harris*, 331 F.3d 817, 819 (11th Cir. 2003). In reviewing the record, the Court is uncertain whether it has subject matter jurisdiction over this action. A party seeking to invoke a federal court’s diversity jurisdiction must allege “facts” that show that federal subject matter jurisdiction exists. *Travaglio v. Am. Express Co.*, 735 F.3d 1266, 1268 (11th Cir. 2013). “Those allegations, when federal jurisdiction is invoked based upon diversity, must include the citizenship of each party, so that the court is satisfied that no plaintiff is a citizen of the same state as any defendant.” *Id.*

In the Eleventh Circuit, the citizenship of a limited liability company is determined, for diversity purposes, by the citizenship of all the members composing the entity. *Rolling Greens MHP v. Comcast SCH Holdings, LLC*, 374 F.3d 1020, 1021–22 (11th Cir. 2004). A limited liability company is a citizen of any state of which a member is a citizen. *Id.* at 1022. To sufficiently allege the citizenship of a limited liability company, a party must list the citizenship of all the members of the limited liability company. *Id.* Additionally, “a limited partnership is a citizen of each state in which any of its partners, limited or general, are citizens.” *Id.* at 1021.

Here, the Plaintiff has failed to allege the citizenship of all members of Defendant SRKD Management, LLC, and has failed to allege the citizenship of all partners of Defendant Jericho All-Weather Opportunity Fund, LP. Thus, the Court is unable to ascertain whether complete diversity exists. Accordingly, the Plaintiff must file an amended complaint which adequately alleges federal-subject-matter jurisdiction by **September 7, 2017**. If the Plaintiff fails to file an amended complaint by that date or the amended complaint fails to provide the facts necessary to establish jurisdiction, the Court will dismiss this case due to lack of subject-matter jurisdiction.

Done and ordered, at Miami, Florida, on August 28, 2017.



Robert N. Scola, Jr.
United States District Judge