

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 08-81325-CIV-MARRA

JULIO DE LA SANCHA,

Plaintiff,

vs.

TACO BELL OF AMERICA, INC.

Defendant.  

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**OPINION AND ORDER**

THIS CAUSE is before the Court *sua sponte*. Federal courts have “an ever-present obligation to satisfy themselves of their subject matter jurisdiction” and the decision to address that issue sua sponte “applies equally in removal cases” Liberty Mutual Ins. Co. v. Ward Trucking Corp., 48 F.3d 742, 750 (3d Cir. 1995).

Each party is hereby ordered to file a memorandum of law within ten (10) days, not to exceed five (5) pages, addressing whether the district court has jurisdiction over this action, in light of the holdings in Burr & Forman v. Blair, 470 F.3d 1019 (11<sup>th</sup> Cir. 2006); Harris v. Blue Cross/Blue Shield of Alabama, Inc., 951 F.2d 325, 330 (11th Cir.1992); and Corporate Management Advisors, Inc. v. Artjen Complexus, Inc., 2008 WL 4383040 (S.D. Fla. 2008).

The parties are not required to confer and file a joint scheduling report, as required by

[DE 6], until the Court enters an order deciding whether it has jurisdiction in this case.

**DONE AND ORDERED** in Chambers at West Palm Beach, Palm Beach County,  
Florida, this 20<sup>th</sup> day of November, 2008.

A handwritten signature in black ink, appearing to read 'K. Marra', written above a horizontal line.

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KENNETH A. MARRA  
United States District Judge