

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

BIG EASY BLENDS, LLC, ET AL.

CIVIL ACTION

VERSUS

NO: 2:20-CV-2752

MIRAGE INDUSTRIES, INC.

SECTION: "H"

ORDER AND REASONS

Before the Court is Defendant Ehad, Inc.'s Consent Motion to Remand (R. Doc. 13). For the following reasons, the Motion is **GRANTED**.

LAW AND ANALYSIS

On April 7, 2021, this Court issued an Order wherein the Court found that Defendant Ehad, Inc. ("Ehad") had failed to adequately allege diversity of citizenship in its Notice of Removal. Specifically, the Court found that Ehad failed to list the citizenship of each member of Plaintiffs Big Easy Blends, LLC and St. Charles Packaging, LLC. The April 7, 2021 Order gave Ehad 20 days to amend the Notice of Removal and cure the deficiency.

On April 23, 2021, Ehad filed the instant Consent Motion to Remand (R. Doc. 13). In the Motion, Ehad represents that it has discovered that a member of Plaintiff Big Easy Blends, LLC is domiciled in Texas. Ehad is also domiciled in Texas. Ehad, with Plaintiffs' consent, thus asks this Court to remand this matter back to state court.

“The concept of complete diversity requires that all persons on one side of the controversy be citizens of different states than all persons on the other side.”¹ For purposes of diversity jurisdiction, the “citizenship of a LLC is determined by the citizenship of all of its members.”² Big Easy Blends, LLC is therefore a citizen of Texas because one of its members is a citizen of Texas. As a corporation, Ehad is a citizen of its state of incorporation and principle place of business—both of which are Texas.³ Thus, because Plaintiff Big Easy Blends, LLC and Defendant Ehad are both citizens of Texas, this Court lacks subject matter jurisdiction. Accordingly, Defendant Ehad’s Motion to Remand is granted.

CONCLUSION

For the foregoing reasons, Defendant’s Consent Motion to Remand (R. Doc. 13) is **GRANTED**.

IT IS ORDERED that this matter is **REMANDED** to the Twenty-Fourth Judicial District Court for the Parish of Jefferson, State of Louisiana.

New Orleans, Louisiana this 28th day of April, 2021.



JANE TRICHE MILAZZO
UNITED STATES DISTRICT JUDGE

¹ *McCloughlin v. Miss. Power Co.*, 376 F.3d 344, 353 (5th Cir. 2004) (internal quotation marks and citations omitted).

² *Harvey v. Grey Wold Drilling Co.*, 542 F.3d 1077, 1080 (5th Cir. 2008).

³ *See* 28 U.S.C. § 1332(c)(1).