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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KERRI SHAPIRO, an individual, on
behalf of herself and all others similarly
situated,

Plaintiff,

v.

TREASURE ISLAND, LLC, a Nevada
limited liability company d/b/a Treasure
Island Hotel & Casino; and RUFFIN
ACQUISITION, LLC, a Nevada limited
liability company,

Defendants.

Case No. 2:17-cv-02930-APG-CWH

ORDER

(ECF. Nos. 21, 22)

13 This case alleges that the defendants charged their guests resort fees that included internet
14 access in a manner that violates the Internet Tax Freedom Act. Several such cases have been
15 filed in this District; some are pending before me, and some have been assigned to other judges in
16 the District.

17 The parties to many of these cases, including this one, have reached an agreement to stay
18 all deadlines and to consolidate the cases already assigned to me solely for the purpose of ruling
19 on an anticipated motion to dismiss for lack of subject matter jurisdiction, to be filed in the
20 *Cabral* case (2:17-cv-2841). The parties have agreed to take certain actions in the cases not
21 pending before me based on my ruling on the subject matter jurisdiction issue.

22 I previously granted the stipulations in the cases before me, and I will do so in this case.
23 However, I again caution the parties that their agreement may not achieve the results they
24 anticipate. I am not the assigned judge in the other cases, so my ruling granting these stipulations
25 has no impact on the deadlines in any cases not assigned to me.

26 Additionally, I cannot bind other district judges and the parties cannot agree to confer
27 subject matter jurisdiction on a federal court. *See Hill v. Blind Indus. & Servs. of Maryland*, 179
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1 F.3d 754, 757 (9th Cir.), *opinion amended on denial of reh'g*, 201 F.3d 1186 (9th Cir. 1999)
2 (stating “the parties cannot, by their consent, confer jurisdiction upon a federal court in excess of
3 that provided by Article III of the United States Constitution”). Thus, if I ultimately conclude
4 there is jurisdiction in my cases, that does not necessarily mean the other judges will agree. Each
5 judge has an independent obligation to ensure subject matter jurisdiction exists in the cases
6 pending before that judge. *See Arbaugh v. Y&H Corp.*, 546 U.S. 500, 514 (2006) (stating federal
7 courts “have an independent obligation to determine whether subject-matter jurisdiction exists,
8 even in the absence of a challenge from any party”).

9 IT IS THEREFORE ORDERED that the parties’ stipulations (**ECF Nos. 21, 22**) are
10 **GRANTED.**

11 DATED THIS 12th day of March, 2018.



12 ANDREW P. GORDON
13 UNITED STATES DISTRICT JUDGE
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