

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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## NUTRIENT FOODS, LLC,

**Plaintiff.**

v.

THE RICHARDS GROUP, INC., a Texas  
Corporation, and DOES I-X inclusive,

## Defendants.

Case No. 3:17-cv-00434-MMD-WGC

## ORDER

Defendant The Richards Group, Inc. (“Defendant”) removed this case on the basis of diversity jurisdiction. District courts have original jurisdiction over civil actions between citizens of different states and where the amount in controversy is greater than \$75,000. 28 U.S.C. § 1332(a). Plaintiff in this action, Nutrient Foods, LLC, is a limited liability company. Although corporations are citizens of any state in which they are incorporated or have their principal place of business, “an LLC is a citizen of every state of which its owners/members are citizens.” *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006). Moreover, “the party asserting diversity jurisdiction bears the burden of proof.” *Kanter v. Warner-Lambert Co.*, 265 F.3d 853, 857-58 (9th Cir. 2001).

Defendant has not met this burden because it has failed to identify any members of the LLC of Nutrient Foods, or clarify whether those members are citizens of different states than the opposing party. It is therefore ordered that within ten (10) days of the date

1 of this Order, Defendant must supplement its petition for removal with a document that  
2 identifies the state citizenships of each member of the LLC Plaintiff.

3 DATED THIS 19<sup>th</sup> day of July 2017.

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6 MIRANDA M. DU  
7 UNITED STATES DISTRICT JUDGE  
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