

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

CHARLES A. SHADID, L.L.C.,)
Plaintiff,)
v.) Case No. CIV-15-595-D
ASPEN SPECIALTY INSURANCE)
COMPANY,)
Defendant.)

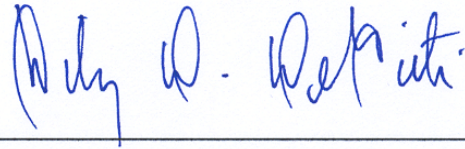
ORDER

Upon examination of the Complaint, the Court finds insufficient factual allegations to establish the existence of subject matter jurisdiction under 28 U.S.C. § 1332, as asserted by Plaintiff.1 Plaintiff Charles A. Shadid, L.L.C. identifies itself as an Oklahoma limited liability company. For purposes of citizenship, this business entity is not treated like a corporation under § 1332(c)(1), but like an unincorporated association under Carden v. Arkoma Assocs., 494 U.S. 185, 195-96 (1990). See Siloam Springs Hotel, L.L.C. v. Century Surety Co., 781 F.3d 1233, 1237-38 (10th Cir. 2015). Because Plaintiff fails to identify its members or allege their citizenship, the Complaint fails to demonstrate diversity of citizenship between the parties, and does not establish federal jurisdiction.

IT IS THEREFORE ORDERED that Plaintiff is directed to file an amended pleading within 14 days of this date to cure the deficiency identified in this Order.

1 The Court has "an independent obligation to determine whether subject-matter jurisdiction exists" and may raise the issue sua sponte at any time. Image Software, Inc. v. Reynolds & Reynolds Co., 459 F.3d 1044, 1048 (10th Cir. 2006).

IT IS SO ORDERED this 5th day of June, 2015.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE