



all parties assume subject matter jurisdiction exists. *Hartig Drug Co. Inc. v. Senju Pharm. Co. Ltd.*, 836 F.3d 261, 267 (3d Cir. 2016).

In their Complaint, Ms. Vegoda and Mr. Abramowitz plead that this Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332, i.e. diversity jurisdiction. Subject matter jurisdiction based upon diversity jurisdiction is defined by statute in relevant part as follows:

(a) The district courts shall have original jurisdiction of all civil actions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between—

**(1) citizens of different States**

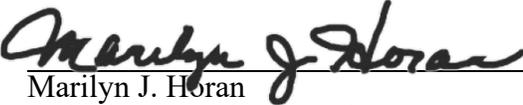
28 U.S.C. § 1332(a)(1) (emphasis added).

Here, Plaintiffs plead they are residents of Pennsylvania. (ECF No. 1 at ¶¶ 1, 2). They also plead that Defendants, Victory Chrysler Dodge Jeep Ram, LLC, and Victory Automotive Group, LLC, are Pennsylvania Limited Liability Companies with Pennsylvania addresses. *Id.* at ¶¶ 3, 5. Thus, upon the face of Plaintiffs' Complaint, Plaintiffs and two defendants are citizens of the same state, the Commonwealth of Pennsylvania. Therefore, diversity jurisdiction is not supported under 28 U.S.C. § 1332(a)(1). Without subject matter jurisdiction based upon diversity, Plaintiffs Complaint asserts no other basis for this Court's jurisdiction.

Accordingly, this Court will, *sua sponte*, dismiss Plaintiffs' Complaint pursuant to its authority under Fed. R. Civ. P. 12(b)(1). A separate order will follow.

DATED this 12th day of March, 2025.

BY THE COURT:

  
Marilyn J. Horan  
United States District Judge

Via U.S. Mail:

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