UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NORGAL SEATTLE PARTNERSHIP,

Plaintiff,

v.

NATIONAL SURETY CORPORATION, *et al.*,

Defendants.

Case No. C11-0720RSL

ORDER TO SHOW CAUSE

This matter comes before the Court *sua sponte*. On April 27, 2011, defendant National Surety Corporation removed this matter from state court alleging that this Court has jurisdiction based on the diversity of citizenship of the parties. See 28 U.S.C. § 1332(a) (establishing that the federal court's basic diversity jurisdiction extends to "all civil actions where the matter in controversy exceeds . . . $75,000 . . . and is between . . . citizens of different States."). "For a case to qualify for federal jurisdiction under 28 U.S.C. § 1332(a), there must be complete diversity of citizenship between the parties opposed in interest." Kuntz v. Lamar Corp., 385 F.3d 1177, 1181 (9th Cir. 2004) (internal citation omitted). In examining whether complete diversity is present, the citizenship of a partnership is determined by examining the citizenship of the partners,

owners, or members. See Johnson v. Columbia Props. Anchorage, LP, 437 F.3d 894, 899 (9th Cir. 2006) (holding that "like a partnership, an LLC is a citizen of every state of which its owners/members are citizens.").

In its Notice of Removal, defendant fails to allege the citizenship of each partner, owner, or member of the plaintiff entity. Nor are the missing jurisdictional facts supplied in plaintiff's complaint. Therefore, defendant has failed to meet its burden to establish the basis of the Court's jurisdiction. See Indus. Tectonics, Inc. v. Aero Alloy, 912 F.2d 1090, 1092 (9th Cir. 1990) ("The party asserting jurisdiction has the burden of proving all jurisdictional facts"); Fed R. Civ. P. 12(h)(3) ("If the Court determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action").

Defendant is hereby ORDERED TO SHOW CAUSE why the Court should not dismiss this action for lack of subject matter jurisdiction under Fed. R. Civ. P. 12(h)(3). Defendant shall, on or before June 24, 2011, provide the Court with the citizenship of all of the partners, owners, or members of Norgal Seattle Partnership at the time the complaint was filed. The Clerk of the Court is directed to place this order to show cause on the Court's calendar for June 24, 2011.

Dated this 9th day of June, 2011.

Robert S. Lasnik
United States District Judge