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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ANTOINE REEVES,

Plaintiff,

v.

ERGS IX REO OWNER, LLC, et al.,

Defendants.

CASE NO. C14-0969JLR

ORDER REMANDING CASE

Before the court is Defendants’ response to the court’s third order to show cause. (3d Resp. (Dkt. # 21).) Previously, the court ordered Defendants to show cause on three separate occasions why the court has subject matter jurisdiction over this case. (7/7/14 Order (Dkt. # 6); 7/17/14 Order (Dkt. # 15); 7/28/14 Order (Dkt. # 20).) Defendants, who are a limited liability company (“LLC”) and a limited partnership, (“LP”) have invoked the court’s diversity jurisdiction but have not established their own corporate citizenship for diversity purposes. (See 7/28/14 Order.) Thus, the court previously ordered Defendants to list each of their owners and partners, and their owners and

1 partners' owners and partners, in order to establish diversity jurisdiction. (*See id.*) In two
2 previous attempts, Defendants failed to do so. (*Id.*)

3 Defendants' latest response indicates that they have now given up trying to
4 establish diversity jurisdiction:

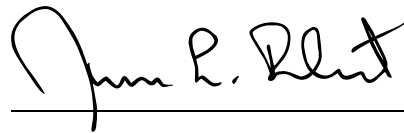
5 At this point, Defendants, a Limited Liability Company and a Limited
6 Partnership, believe the best course of action is a remand to state court,
7 rather than having to identify every owner, member, and partner and obtain
8 evidence of state citizenship of every owner, member, and partnership in
9 their complicated ownership charts, as requested by the Court in the Third
10 Order to Show Cause.

11 (3d Resp. at 1-2.) Without a showing of subject matter jurisdiction, the court cannot
12 proceed. *See Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir.
13 2006). Consequently, the court ORDERS that:

- 14 1. Pursuant to 28 U.S.C. §§ 1447(c) and 1447(d), all further proceedings in this
15 case are REMANDED to the Superior Court for King County in the state of
16 Washington,
- 17 2. The Clerk of the Court shall send copies of this order to all counsel of record
18 for all parties,
- 19 3. Pursuant to 28 U.S.C. § 1447(c), the Clerk of the Court shall mail a certified
20 copy of the order of remand to the Clerk of the Court for the Superior Court
21 for King County, Washington,
- 22 4. The Clerk of the Court shall also transmit the record herein to the Clerk of the
Court for the Superior Court for King County, Washington,

- 1 5. The parties shall file nothing further in this matter, and instead are instructed
2 to seek any further relief to which they believe they are entitled from the
3 courts of the state of Washington, as may be appropriate in due course, and
4 6. The Clerk of the Court shall CLOSE this case.

5 Dated this 7th day of August, 2014.

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8 JAMES L. ROBART
9 United States District Judge

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