

**UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA**

Paradise Service, LLC v. Mercedes-Benz USA, LLC

No. CV 25-1462-DMG (DTBx) (C.D. Cal. June 16, 2025) (not reported) · No. CV 25-1462-DMG (DTBx) ·
Decided June 16, 2025

OPINION

Paradise Service, LLC v. Mercedes-Benz USA, LLC

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV 25-1462-DMG (DTBx) Date June 16, 2025 Title Paradise Service, LLC v. Mercedes-Benz USA, LLC Page 1 of 2 Present: The Honorable DOLLY M. GEE, CHIEF UNITED STATES DISTRICT JUDGE

DEREK DAVIS NOT REPORTED

Deputy Clerk Court Reporter Attorneys Present for Plaintiff(s) Attorneys Present for Defendant(s)
None Present None Present Proceedings: IN CHAMBERS—ORDER TO SHOW CAUSE WHY THIS CASE

SHOULD NOT BE REMANDED TO RIVERSIDE COUNTY SUPERIOR COURT

On May 1, 2025 Plaintiff Paradise Service, LLC filed a Complaint in Riverside County Superior Court against Defendant Mercedes-Benz USA, LLC, alleging state-law causes of action under California’s Song-Beverly Act. See Notice of Removal (“NOR”), Ex. A (“Compl.”) [Doc. # 1-1].¹ On June 11, 2025, Defendant removed the action to federal court, invoking this Court’s diversity jurisdiction under 28 U.S.C. section 1332(a). [Doc. # 1.] Under 28 U.S.C. section 1441(a), an action may be removed from a state court to a federal district court if the latter would have had original jurisdiction over the action had it been filed in that court. Pursuant to 28 U.S.C. section 1332(a)(2), a district court shall have jurisdiction over a civil action between citizens of a state and citizens or subjects of a foreign state in which the amount in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs. “The burden of establishing federal subject matter jurisdiction falls on the party invoking removal.” *Marin Gen. Hosp. v. Modesto & Empire Traction Co.*, 581 F.3d 941, 944 (9th Cir. 2009). As there is a “‘strong presumption’ against removal jurisdiction[,]” an action should be remanded “if there is any doubt as to the right of removal” See *Gaus v. Miles, Inc.*, 980 F.2d 564, 566 (9th Cir. 1992). Plaintiff is an LLC, and Defendant has not alleged the citizenship of each of Plaintiff’s owners or members. See *Johnson v. Columbia Props. Anchorage LP*, 437 F.3d 894, 899 (9th Cir. 2006) (“[A]n LLC is a citizen of

every state of which its owners/members are citizens.”); *Kanter v. Warner-Lambert Co.*, 265 F.3d 853, 857 (9th Cir. 2001) (“The natural person’s state citizenship is . . . determined by [his or] her state of domicile . . .”). Despite its assertion that Plaintiff is a California citizen, without further information about the citizenship of its owners or 1 All page references herein are to page numbers inserted by the CM/ECF system.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. CV 25-1462-DMG (DTBx) Date June 16, 2025 Title Paradise Service, LLC v. Mercedes-Benz USA, LLC Page 2 of 2 members, Defendant has not demonstrated that Plaintiff is completely diverse from Defendant and that this Court has diversity jurisdiction over this case. In light of the foregoing, Defendant is ORDERED TO SHOW CAUSE in writing by June 26, 2025 why this action should not be remanded to Riverside County Superior Court for lack of subject matter jurisdiction. Failure to timely file a satisfactory response will result in the remand of this action. IT IS SO ORDERED.