

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Adams v. Google LLC

No. 25-cv-05020 NC (N.D. Cal. June 13, 2025) · No. 25-cv-05020 NC · Decided June 13, 2025

SUMMARY

The United States District Court for the Northern District of California ordered Google LLC to show cause why removal from Santa Clara County Superior Court was proper and why federal subject matter jurisdiction existed. The court noted that Google had not identified the citizenship of its LLC members and advised that removal could also violate the local defendant rule if Google is a California citizen.

CASE DETAILS

COURT	United States District Court for the Northern District of California
JURISDICTION	United States District Court for the Northern District of California
DECIDED	June 13, 2025
DOCKET	25-cv-05020 NC
DISPOSITION	other
PROCEDURAL POSTURE	Google removed the action from Santa Clara County Superior Court based on diversity jurisdiction. The district court issued an order to show cause requiring Google to explain why removal was proper and subject matter jurisdiction existed.
STANDARD OF REVIEW	Subject matter jurisdiction may be considered sua sponte at any time, and the party asserting federal jurisdiction bears the burden of establishing it.
PRECEDENTIAL VALUE	Unknown; district court order to show cause with no published reporter citation.
PARTIES	Google LLC v. Lorenzo Adams

TOPICS

- subject matter jurisdiction
- civil procedure
- commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Google established federal subject matter jurisdiction through diversity of citizenship under 28 U.S.C. § 1332(a)(1).
2. Whether the removal may be procedurally defective under the local-defendant rule if Google is a citizen of California.
3. Whether Adams must move to remand within 30 days to raise a violation of the local-defendant rule.

HOLDINGS

1. For diversity-of-citizenship purposes, an LLC is a citizen of every state of which its owners or members are citizens. Because Google did not provide citizenship information for each owner or member, it had not established subject matter jurisdiction.
2. If Google is a California citizen, removal based on diversity jurisdiction may be procedurally improper under the local-defendant rule because a defendant that is a citizen of the state in which the action was brought may not remove on that basis. A plaintiff must raise that procedural defect within 30 days.

KEY QUOTATIONS

“The federal court is a court of limited jurisdiction and the party asserting jurisdiction (here, Google) has the burden of establishing a basis to be in federal court.” (at 1)

“This means that “like a partnership, an LLC is a citizen of every state of which its owners/members are citizens.”” (at 1)

FACTUAL BACKGROUND

Google removed Adams's action from Santa Clara County Superior Court to federal court. Google asserted diversity jurisdiction based on diversity of citizenship and an amount in controversy exceeding \$75,000. The removal notice did not provide citizenship information for each owner or member of Google LLC, and the notice allegedly identified Google as a California citizen, potentially implicating the local-defendant rule.

PROCEDURAL HISTORY

On June 13, 2025, Google removed the case to the Northern District of California. The court found that Google had not supplied citizenship information for each of its LLC owners or members and therefore had not established diversity jurisdiction. The court also identified a potential local-defendant-rule defect and advised Adams that any motion to remand on that ground had to be filed within 30 days.

DISPOSITION

other

REMAND INSTRUCTIONS

Google was ordered to file a response by June 20, 2025, explaining why removal was proper and why subject matter jurisdiction is satisfied. Adams was advised that any motion to remand based on violation of the local-defendant rule had to be filed within 30 days after the notice of removal.

CASES CITED

- Kokkonen v. Guardian Life Insurance Co. of America, 511 U.S. 375, 377 (1994)
- Valdez v. Allstate Insurance Co., 372 F.3d 1115, 1116 (9th Cir. 2004)
- Johnson v. Columbia Properties Anchorage, LP, 437 F.3d 894, 899 (9th Cir. 2006)
- Lively v. Wild Oats Mkts., Inc., 456 F.3d 933, 942 (9th Cir. 2006)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 NORTHERN DISTRICT OF
CALIFORNIA 10 LORENZO ADAMS, 11 Case No. 25-cv-05020 NC Plaintiff, 12 ORDER TO
SHOW CAUSE TO v. 13 DEFENDANT GOOGLE LLC RE: GOOGLE LLC, REMOVAL 14
Defendant. 15 16 17 On June 13, 2025, defendant Google LLC removed this case to this Court
from 18 Santa Clara County Superior Court. Dkt. No. 1.

The federal court is a court of limited 19 jurisdiction and the party asserting jurisdiction (here, Google) has the burden of 20 establishing a basis to be in federal court. Kokkonen v. Guardian Life Ins. Co. of Am., 511 21 U.S. 375, 377 (1994).

The Court may consider the issue of subject matter jurisdiction sua 22 sponte at any time during the proceeding. Valdez v. Allstate Ins. Co., 372 F.3d 1115, 1116 23 (9th Cir. 2004) (federal courts are “obligated to consider sua sponte whether [they] have 24 subject matter jurisdiction”). 25 Here, Google asserts that federal subject matter jurisdiction is established through 26 diversity of citizenship and the amount in controversy exceeding \$75,000.

Dkt. No. 1, 27 citing 28 U.S.C. § 1332(a)(1). But Google needs to provide additional information to 1 || purposes of diversity of citizenship analysis, an LLC is treated like a limited partnership 2 || rather than a corporation. Johnson v. Columbia Properties Anchorage, LP, 437 F.3d 894, 3 || 899 (9th Cir. 2006). This means that “like a partnership, an LLC is a citizen of every state 4 || of which its owners/members are citizens.” Jd.

Here, Google has not provided citizenship 5 || information for each of its owners/members. Google therefore has not established subject 6 || matter jurisdiction. 7 Secondly, if Google is a California citizen as the removal notice attests, removal of 8 || acase through diversity jurisdiction is procedurally improper under the “local defendant 9 || rule” if “any of the parties in interest properly joined and served as defendants is a citizen 10 || of the State in which such action is brought.” 28 U.S.C. § 1441(b)(2).

Because this is a 11 || procedural defect, the plaintiff must raise it within 30 days to effectuate a remand. See 12 Lively vy. Wild Oats Mrkts., Inc., 456 F.3d 933, 942 (9th Cir. 2006); see also 28 U.S.C. § 13 1447(c). Consequently, if Adams seeks remand on this ground, he must seek that relief 14 || promptly in compliance with 28 U.S.C. § 1447(c). 15 In conclusion, Google must file a response by June 20, 2025, explaining why 16 |} removal was proper and subject matter jurisdiction is satisfied.

If Adams wishes to move 5 17 || to remand the case back to Santa Clara County Superior Court for Google's violation of 5 18 || the local defendant rule, he must do so within 30 days after the filing of the notice of 19 || removal. 28 U.S.C. § 1447(c). 20 IT IS SO ORDERED. 21 22 Dated: June 13, 2025 h-_=———— _ 23 United States Magistrate Judge 24 25 26 27 28