

**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

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