

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

Jammie Monroy v. LGCY Power, LLC

No. ED CV 25-471-JFW(DTBx) (C.D. Cal. Mar. 25, 2025) · No. ED CV 25-471-JFW(DTBx) · Decided March 25, 2025

SUMMARY

The United States District Court for the Central District of California issued an order to show cause regarding whether the action should be remanded for lack of subject matter jurisdiction. The court found that LGCY Power, LLC had not adequately alleged the citizenship of its members to establish diversity jurisdiction and ordered LGCY to explain why the case should not be remanded to Riverside County Superior Court.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	John F. Walter
JURISDICTION	United States District Court for the Central District of California
DECIDED	March 25, 2025
DOCKET	ED CV 25-471-JFW(DTBx)
DISPOSITION	other
PROCEDURAL POSTURE	Defendant removed the action from Riverside County Superior Court based on alleged diversity jurisdiction, and the district court issued an order to show cause why the action should not be remanded for lack of subject matter jurisdiction.
STANDARD OF REVIEW	Removal statutes are strictly construed, federal jurisdiction is presumed absent unless affirmatively established, and the party invoking federal jurisdiction bears the burden of demonstrating that removal is proper.
PRECEDENTIAL VALUE	unpublished

TOPICS

- subject matter jurisdiction
- limited liability companies
- civil procedure
- commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether LGCY adequately established diversity jurisdiction under 28 U.S.C. § 1332(a) by alleging the citizenship of its LLC members.
2. Whether the action should be remanded for lack of subject matter jurisdiction if LGCY could not adequately establish the citizenship of its members.

HOLDINGS

1. An LLC must identify its members and allege citizenship information sufficient to determine the citizenship of those members, including whether any member is itself an LLC or partnership. LGCY's allegations were insufficient to establish its citizenship and diversity jurisdiction.
2. The court ordered LGCY to show cause why diversity jurisdiction exists and why the action should not be remanded; failure to respond would result in remand.

KEY QUOTATIONS

“Because of the Congressional purpose to restrict the jurisdiction of the federal courts on removal, the statute is strictly construed, and federal jurisdiction must be rejected if there is any doubt as to the right of removal in the first instance.”

“A limited liability company is a citizen of every state of which its members are citizens.”

“In this Court’s view, [LGCY] cannot sufficiently demonstrate the citizenship of the embers of a limited liability company (or partnership) without alleging who those members are, so that the Court can determine whether the members themselves are limited liability companies (or partnerships).”

FACTUAL BACKGROUND

LGCY Power, LLC removed the action from California state court and alleged that it was a Utah citizen because all of its members were domiciled and located in Utah. LGCY did not identify its members in the Notice of Removal. Its corporate disclosure later identified Robinson Holdings, LLC and LHT Ventures, LLC as members, but did not identify the members of those LLCs.

PROCEDURAL HISTORY

On January 6, 2025, Jammie Monroy filed a complaint in Riverside County Superior Court against LGCY Power, LLC. LGCY removed the action to the Central District of California on February 21, 2025, invoking diversity jurisdiction under 28 U.S.C. § 1332(a). The district court found the removal allegations insufficient to establish LGCY's citizenship and ordered LGCY to show cause why the action should not be remanded.

DISPOSITION

other

REMAND INSTRUCTIONS

LGCY was ordered to show cause in writing by March 27, 2025, why diversity jurisdiction exists and why the action should not be remanded to Riverside County Superior Court. Failure to respond would result in remand. No oral argument would be heard unless otherwise ordered.

CASES CITED

- *Bender v. Williamsport Area School District*, 475 U.S. 534, 541 (1986)
- *Duncan v. Stuetzle*, 76 F.3d 1480, 1485 (9th Cir. 1996)
- *Fifty Associates v. Prudential Insurance Company of America*, 446 F.2d 1187, 1190 (9th Cir. 1970)
- *Gaus v. Miles*, 980 F.2d 564, 566 (9th Cir. 1992)
- *Emrich v. Touche Ross & Co.*, 846 F.2d 1190, 1195 (9th Cir. 1988)
- *Johnson v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006)
- *Neerman v. Cates*, 2022 WL 18278398 (C.D. Cal. July 22, 2022)
- *Matrix International Textile, Inc. v. DMD International, Ltd.*, 2012 WL 12903645, at *1 (C.D. Cal. July 31, 2012)

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