

**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

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**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.

**OPINION**

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA CIVIL MINUTES -- GENERAL Case No. ED CV 25-471-JFW(DTBx) Date: March 25, 2025 Title: Jammie Monroy -v- LGCY Power, LLC, et al. PRESENT: HONORABLE JOHN F. WALTER, UNITED STATES DISTRICT JUDGE Shannon Reilly None Present Courtroom Deputy Court Reporter ATTORNEYS PRESENT FOR PLAINTIFFS: ATTORNEYS PRESENT FOR DEFENDANTS: None None PROCEEDINGS (IN CHAMBERS): ORDER TO SHOW CAUSE WHY THIS CASE SHOULD NOT BE REMANDED FOR LACK OF SUBJECT MATTER JURISDICTION On January 6, 2025, Plaintiff Jammie Monroy ("Plaintiff") filed a Complaint in Riverside County Superior Court against Defendants LGCY Power, LLC ("LGCY").

On February 21, 2025, LGCY removed this action to this Court, alleging that this Court has jurisdiction based on diversity pursuant to 28 U.S.C. § 1332(a). Federal courts are courts of limited jurisdiction, having subject matter jurisdiction only over matters authorized by the Constitution and Congress. See *Bender v. Williamsport Area School District*, 475 U.S. 534, 541 (1986). "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." *Duncan v. Stuetzle*, 76 F.3d 1480, 1485 (9th Cir.

1996) (citations and quotations omitted). There is a strong presumption that the Court is without jurisdiction unless the contrary affirmatively appears. See *Fifty Associates v. Prudential Insurance Company of America*, 446 F.2d 1187, 1190 (9th Cir. 1990).

As the party invoking federal jurisdiction, LGCY bears the burden of demonstrating that removal is proper. See, e.g., *Gaus v. Miles*, 980 F.2d 564, 566 (9th Cir. 1992); *Emrich v. Touche Ross & Co.*, 846 F.2d 1190, 1195 (9th Cir. 1988). Diversity jurisdiction under 28 U.S.C. § 1332(a) requires that (1) all plaintiffs be of different citizenship than all defendants, and (2) the amount in controversy exceed \$75,000.

See 28 U.S.C. § 1332(a). A limited liability company is a citizen of every state of which its members are citizens. See, e.g., *Johnson v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006) (“[L]ike a partnership, an LLC is a citizen of every state of which its owners/members are citizens”).

In this case, LGCY has failed to adequately allege its citizenship. In the Notice of Removal, LGCY alleges only that “LGCY Power has been, and at the time of the filing of this notice of removal remains, a citizen of Utah because all of its members are domiciled and located in Utah.” Notice of Removal, ¶ 12.

However, LGCY has failed to name its members and “[i]n 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).” See *Neerman v. Cates*, 2022 WL 18278398 (C.D.

Cal. July 22, 2022) (quoting *Matrix International Textile, Inc. v. DMD International, Ltd.*, 2012 WL 12903645, at \*1 (C.D. Cal. July 31, 2012)). Indeed, in its Corporate Disclosure Statement Pursuant to Fed. R. Civ. Proc. 7.1 (“Corporate Disclosure”), LGCY names its two members – Robinson Holdings, LLC and LHT Ventures, LLC. Although the Corporate Disclosure states that these two limited liability companies “were formed in Utah and have their principal places of business in Utah,” it state who their members are.

As a result, the Court concludes that the allegations in the Notice of Removal are insufficient to establish the citizenship of LGCY and, thus, are inadequate to allege diversity jurisdiction. Accordingly, LGCY is ordered to show cause, in writing, on or before March 27, 2025, why diversity jurisdiction exists and why this action should not be remanded to Riverside County Superior Court for lack of subject matter jurisdiction.

No oral argument on this matter will be heard unless otherwise ordered by the Court. See Fed. R. Civ. P. 78; Local Rule 7-15. The Order will stand submitted upon the filing of the response to the Order to Show Cause. Failure to respond to this Order to Show Cause will result in the remanding of this action to Riverside County Superior Court. IT IS SO ORDERED.

