

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Nevada Jet Ventures, LLC v. ExcelAire LLC

Nevada Jet Ventures · No. 2:25-cv-07683-SB-PD · Decided September 11, 2025

SUMMARY

The United States District Court for the Central District of California dismissed the action without prejudice for lack of subject-matter jurisdiction. The court held that the plaintiff failed to establish complete diversity because it did not identify or allege the citizenship of the members of either limited liability company, particularly the defendant.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Stanley Blumenfeld, Jr.
JURISDICTION	United States District Court for the Central District of California
DECIDED	September 11, 2025
DOCKET	2:25-cv-07683-SB-PD
DISPOSITION	dismissed
PROCEDURAL POSTURE	The plaintiff filed an action asserting diversity jurisdiction as the sole basis for federal jurisdiction. After the court ordered plaintiff to show cause why the action should not be dismissed for failure to establish complete diversity, plaintiff submitted a declaration that did not identify the defendant LLC's members or their citizenship. The court dismissed the action without prejudice for lack of subject-matter jurisdiction.
STANDARD OF REVIEW	The court independently assessed whether subject-matter jurisdiction existed and applied the rule that the party invoking federal jurisdiction bears the burden of establishing it.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive rather than precedential value.

TOPICS

- subject matter jurisdiction
- limited liability companies
- pleadings
- civil procedure

PRACTICE AREAS

civil procedure

commercial litigation

limited liability companies

QUESTIONS PRESENTED

1. Whether the court had diversity subject-matter jurisdiction when the complaint failed to identify the members and citizenship of the plaintiff and defendant LLCs.
2. Whether dismissal without prejudice was required when plaintiff could not affirmatively allege the citizenship of the defendant LLC's members.

HOLDINGS

1. A party invoking diversity jurisdiction must affirmatively identify the members of an LLC and allege the citizenship of every member, tracing through membership layers as necessary; allegations concerning an LLC's state of organization or principal place of business are insufficient.
2. When the court determines that it lacks subject-matter jurisdiction, it must dismiss the action; dismissal for the jurisdictional pleading failure was without prejudice.

KEY QUOTATIONS

“As the party invoking federal jurisdiction, Plaintiff has the burden of showing that diversity is complete by alleging the identity and citizenship of all members of Plaintiff and Defendant (tracing through as many layers as may be necessary).” (at 2)

“This action is therefore dismissed without prejudice for lack of subject-matter jurisdiction.” (at 3)

FACTUAL BACKGROUND

Nevada Jet Ventures, LLC alleged that it was a Nevada LLC with its principal place of business in California, and that ExcelAire LLC was a Delaware LLC with its principal place of business in New York. The complaint did not identify the members of either LLC or allege their citizenship. In response to an order to show cause, plaintiff admitted that its counsel did not have a list of ExcelAire's members and offered only beliefs about ExcelAire's business activities and ownership.

PROCEDURAL HISTORY

Nevada Jet Ventures filed suit on August 15, 2025. The court ordered plaintiff to show cause regarding subject-matter jurisdiction because the complaint alleged the parties' entity types and principal places of business but did not allege the citizenship of either LLC's members. Plaintiff responded without identifying ExcelAire's membership or citizenship. The court sua sponte dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Johnson v. Columbia Props. Anchorage, LP, 437 F.3d 894, 899 (9th Cir. 2006)
- Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 377 (1994)
- Kanter v. Warner-Lambert Co., 265 F.3d 853, 857 (9th Cir. 2001)
- Carolina Cas. Ins. Co. v. Team Equip., Inc., 741 F.3d 1082, 1088 (9th Cir. 2014)
- Sanchez v. Ameriflight, LLC, 724 F. App'x 524, 526 (9th Cir. 2018)
- Scholastic Ent., Inc. v. Fox Ent. Grp., Inc., 336 F.3d 982, 989 (9th Cir. 2003)

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