

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

<p>GMG CAPITAL INVESTMENTS, LLC, a Delaware Limited Liability Company, Plaintiffs vs. MARK ROBBINS; ED DAVIES; STEPHEN NORRIS; and PENINSULA ADVISORS, LLC, a Delaware Limited Liability Company, Defendants.</p>	<p>ORDER Case No. 2:06-CV-876 TC</p>
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On November 13, 2006, Plaintiff GMG Capital Investments, LLC filed an Amended Complaint alleging that the court has jurisdiction under 28 U.S.C. § 1332 (diversity jurisdiction). A limited liability company is a citizen of the states of which each its members are citizens. See Carden v. Arkoma Associates, 494 U.S. 185 (1990); Hale v. MasterSoft Int'l Pty. Ltd., 93 F.Supp.2d 1108 (D. Colo. 2000). Accordingly, the Plaintiff did not allege complete diversity of citizenship between all of the Plaintiffs and all of the Defendants. See 28 U.S.C. § 1332.

On January 8, 2007, the court issued an Order to Plaintiff to show cause as to why the court should not dismiss the case for failure to allege a proper base for jurisdiction. Plaintiff failed to respond to the court's Order within the set time limit.

It appears from the face of the complaint that there is not complete diversity of citizenship in this case. The court therefore DISMISSES Plaintiff's case with prejudice for

failure to allege a proper base for jurisdiction.

IT IS SO ORDERED.

DATED this 31st day of January, 2007.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL
Chief Judge