

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

MASHA ALLEN, by her Parent and Guardian	:	Hon. Joseph H. Rodriguez
FAITH ALLEN,	:	
	:	
Plaintiff,	:	Civil Action No. 08-4614
	:	
v.	:	
	:	
FAMILIES THRU INTERNATIONAL	:	
ADOPTION, INC., et al.,	:	ORDER TO SHOW CAUSE
	:	
Defendants.	:	

This matter comes before the Court on its own accord after a review of Plaintiff's Amended Complaint, filed on June 1, 2010. Although the Amended Complaint is deficient in that it fails to properly plead a basis for federal jurisdiction, it appears that jurisdiction in this case was originally premised upon 28 U.S.C. § 1332, which requires, *inter alia*, the existence of an actual controversy between "citizens of different states."

Here, Plaintiff Masha Allen is a minor citizen of the Commonwealth of Pennsylvania. Amended Compl. ¶ 1. The Amended Complaint adds a direct claim against Defendant Adagio Health, Incorporated, a Pennsylvania corporation. *Id.* at ¶ 11. Because both Plaintiff Allen and Defendant Adagio are citizens of the Commonwealth of Pennsylvania, diversity of citizenship no longer exists. City of Indianapolis v. Chase Nat. Bank of City of New York, 314 U.S. 63, 69 (1941).

Therefore, it is on this 17th day of June, 2010 hereby

ORDERED that, within 10 days of the date of this Order, Plaintiff show cause in writing why this case should not be dismissed for lack of federal jurisdiction.

/s/ Joseph H. Rodriguez
JOSEPH H. RODRIGUEZ,
United States District Judge

