

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DENISE SENECAI,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 11-1768 (RWR)
)	
CALLAHAN & ASSOCIATES, INC.)	
)	
Defendant.)	

MEMORANDUM ORDER

Defendant Callahan & Associates, Inc. removed this action from the Superior Court alleging federal question jurisdiction. If this court lacks subject matter jurisdiction over this action, the action would have to be either remanded to the Superior Court or dismissed. See Fed. R. Civ. P. 12(h)(3).

A federal court is duty bound to assure itself at all times of its jurisdiction to entertain an action. See Ins. Corp. of Ireland, Ltd. v. Compagnie des Bauxites de Guinee, 456 U.S. 694, 702 (1982). A closer examination of this court's jurisdiction is warranted, and this court will do its duty to conduct one. The parties will be directed to brief the following question: Is federal question jurisdiction under 28 U.S.C. § 1331 established in this complaint that brings solely local law causes of action where the complaint also alleges conduct by the defendant that purports to violate federal law?

Since this inquiry would ordinarily be raised in a challenge brought by the plaintiff, the plaintiff will be ordered to file a memorandum first, with the defendant filing a response, and the plaintiff filing a reply. Accordingly, it is hereby

ORDERED that the plaintiff file by October 28, 2011 a memorandum addressing the question posed above. The defendant shall file a response by November 14, 2011. The plaintiff shall file a reply by November 21, 2011.

SIGNED this 7th day of October, 2011.

_____/s/_____
RICHARD W. ROBERTS
United States District Judge