UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

LORRIE SINCLAIR,	)	
Plaintiff,	)	
v.	)	**Civil Action No. 08-1167 (ESH)**
ZETA PHI BETA SORORITY, INC.,	)	
Defendant.	)	

ORDER

Plaintiff has filed this diversity action against the sorority of which she is a member alleging breach of contract and negligence based on defendant's alleged failure to comply with the policies and procedures set forth in its constitution for the election of national officers. Without any explanation or support, plaintiff asks for compensatory damages in the amount of $76,000, attorney's fees and costs, as well as a temporary restraining order and preliminary and permanent injunction.

Federal courts are courts of limited jurisdiction. Because subject matter jurisdiction "goes to the foundation of the court's power to resolve a case, . . . the court is obliged to address it *sua sponte*." *Doe ex rel. Fein v. District of Columbia*, 93 F.3d 861, 871 (D.C. Cir. 1996). In actions based on diversity of citizenship jurisdiction, the amount or value of the matter in controversy must exceed $75,000 exclusive of interest or costs. 28 U.S.C. § 1332(a). The test for determining whether the amount in controversy requirement has been satisfied is well settled.

> [T]he sum claimed by the plaintiff controls if the claim is apparently made in good faith. It must appear to a legal certainty that the claim is really less than the

> jurisdictional amount to justify dismissal. . . . But if, from the face of the pleadings, it is apparent, to a legal certainty, that the plaintiff cannot recover the amount claimed or if, from the proofs, the court is satisfied to a like certainty that the plaintiff never was entitled to recover that amount, and that his claim was therefore colorable for the purpose of conferring jurisdiction, the suit will be dismissed.

St. Paul Mercury Indem. Co. v. Red Cab Co., 303 U.S. 283, 288-89 (1938).

Based on this test, there is a serious question whether the Court has jurisdiction. Accordingly, it is hereby

ORDERED that plaintiff is required to show cause on or before July 18, 2008, for the basis of her claim of $76,000 in compensatory damages. If plaintiff fails to respond in a timely manner or to provide a valid basis for diversity jurisdiction, this matter will be dismissed.

SO ORDERED.

/s/
ELLEN SEGAL HUVELLE
United States District Judge

DATE: July 8, 2008