

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WARREN WEINER, *et al.* : CIVIL ACTION
 :
 Plaintiffs, :
 :
 v. :
 :
 TILLACK & CO., LTD., *et al.* : No. 05-2807
 Defendants. :

MEMORANDUM AND ORDER

FULLAM, Sr. J.

October 11, 2005

This case concerns the ownership of a 1956 Porsche automobile. Plaintiffs, a citizen of Pennsylvania and a Pennsylvania family partnership, have sued Defendants, all of whom are located in California (with the possible exception of the John Doe Defendant). Defendants have moved to dismiss the complaint for lack of personal jurisdiction and improper venue, or alternatively, for a transfer of this action to California.

Pennsylvania likely has personal jurisdiction over most, if not all, of the Defendants because of the contacts with Plaintiffs; however, it is clear that this litigation belongs in California, where the Porsche was shipped for restoration, where it was sold, and where most if not all of the pertinent witnesses and documents are located. *See De Lage Landen Fin. Servs., Inc. v. Christ's Church of the Valley, Inc., 2000 U.S. Dist. LEXIS 17563, C.A. No. 00-3868, 2000 WL 1796422 (E.D. Pa. Nov. 20, 2000); De Lage Landen Fin. Servs. Inc. v. Cardservice Int'l,*

Inc., 2000 U.S. Dist. LEXIS 15505, C.A. No. 00-2355, 2000 WL 1593978 (E.D. Pa. Oct. 25, 2000). Also, Plaintiffs allege that the sale of the Porsche violated California law, and that one Defendant is the alter ego of another, which will require interpretation of California law. Because discovery of the current owner and location of the Porsche would not affect this analysis (and, if "John Doe" is a Pennsylvania resident, would only serve to destroy diversity), Plaintiffs' motion for expedited discovery is denied.

An Order follows.

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ORDER

AND NOW, this 11th day of October, 2005, upon consideration of Defendants' Motion to Dismiss or Transfer the Action and Plaintiffs' Motion for Expedited Discovery, and the responses, IT IS ORDERED that:

- 1) Plaintiffs' Motion for Expedited Discovery is DENIED.
- 2) Defendants' Motion to Dismiss or Transfer the Action is GRANTED and the Clerk is directed to transfer the action, pursuant to 28 U.S.C. § 1404(a), to the United States District Court for the Central District of California.

BY THE COURT:

/s/John P. Fullam
John P. Fullam, Sr. J.