

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

<b>KAY GROSE,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CAUSE NO. 1:06-CV-168</b>
	)	
<b>CFN INVESTMENT HOLDINGS LLC,</b>	)	
<b>and GREEN TREE SERVICES LLC,</b>	)	
	)	
<b>Defendants.</b>	)	

**OPINION AND ORDER**

This case was removed to this Court from the Allen Superior Court by Defendants based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (See Docket # 4.) The Notice of Removal alleges that Plaintiff is a citizen of the State of Indiana; that Defendant CFN Investment Holdings LLC is a limited liability company (“LLC”) organized and existing under the laws of the State of Delaware, with its principal place of business located in the State of New Jersey; and that Defendant Green Tree Services LLC is an LLC organized and existing under the laws of the State of Delaware, with its principal place of business located in the State of Minnesota. (Notice of Removal ¶¶ 10-12.)

However, “the citizenship of an LLC for purposes of the diversity jurisdiction is the citizenship of its members.” *Cosgrove v. Bartolotta*, 150 F.3d 729, 731 (7<sup>th</sup> Cir. 1998). “[T]his may need to be traced through multiple levels if any of its members is itself a partnership or LLC.” *Mut. Assignment and Indem. Co. v. Lind-Waldock & Co., LLC*, 364 F.3d 858, 861 (7<sup>th</sup> Cir. 2004). If even one member of either Defendant is a citizen of the same state as Plaintiff, the suit cannot be maintained as a diversity action. *Cosgrove*, 150 F.3d at 731.

Therefore, Defendants are to advise the Court by May 15, 2006, of the citizenship of each of its members, tracing through all necessary levels, to ensure that no member shares a common citizenship with Plaintiff.

SO ORDERED.

Enter for this 26th day of April, 2006.

/S/ Roger B. Cosby  
Roger B. Cosby,  
United States Magistrate Judge