

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

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| SYNTHESES USA SALES, LLC, |) | |
| Plaintiff, |) | |
| v. |) | Civil Action No. 09-0082-KD-M |
| LAURA HANCOCK, |) | |
| Defendant. |) | |

ORDER

This matter is before the Court on a *sua sponte* review of its jurisdiction in this matter. See Alabama Power Co. v. U.S. Dept. of Energy, 307 F.3d 1300, 1308 (11th Cir. 2002) (A court has an independent duty to examine its own jurisdiction); *accord* University of South Alabama v. American Tobacco Co., 168 F.3d 409, 411 (11th Cir. 1999).

Plaintiff Synthes USA Sales, LLC, alleges that it is a citizen of the State of Delaware and the Commonwealth of Pennsylvania and that it is a Delaware limited liability company which maintains its principal place of business in Pennsylvania. Synthes also alleges that defendant Laura Hancock is a citizen of Alabama and thus, because there is complete diversity of citizenship and the amount in controversy exceeds \$75,000, exclusive of interest and costs, this Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332(a) (doc. 1, ¶ 5-7).

For diversity of citizenship purposes, a limited liability company is a citizen of any state of which a member of the company is a citizen. See Rolling Greens MHP, L.P. v. Comcast SCH Holdings, LLC, 374 F. 3d 1020, 1023 (11th Cir. 2004) (“The federal appellate courts that have answered this question have all answered it in the same way: like a limited partnership, a limited liability company is a citizen of any state of which a member of the company is a citizen. We

join them in this holding.) Plaintiff's complaint does not identify the members of Synthes USA Sales, LLC nor does it allege the citizenship of those members. That information is necessary for the undersigned to determine whether this action is properly before this Court on the basis of diversity jurisdiction.

Accordingly, plaintiff is **ORDERED** to supplement its complaint on or before **March 30, 2008**, to identify the members of Synthes USA Sales, LLC, along with their respective citizenship.

DONE this the 16th day of March, 2009.

s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE