


Fed. R. Civ. P. 8(a). Failure to plead such facts warrants dismissal of the action. *See* Fed. R. Civ. P. 12(h)(3).

Plaintiff resides in Washington, D.C. She has sued an insurance company and “John Does 1 through 10” for “personal injury and monetary loss, due to the wrongful and punitive handling of her claim . . . for medical expense reimbursement.” Am. Compl. at 1 [Dkt. # 3]. The complaint does not present a federal question, and it is a “well-established rule” that in order for an action to proceed in diversity, the citizenship requirement must be “assessed at the time the suit is filed.” *Freeport-McMoRan, Inc. v. K N Energy, Inc.*, 498 U.S. 426, 428 (1991). To that end, “the citizenship of every party to the action must be distinctly alleged [in the complaint] and cannot be established presumptively or by mere inference,” *Meng v. Schwartz*, 305 F. Supp. 2d 49, 55 (D.D.C. 2004), and an “allegation of residence alone is insufficient to establish the citizenship necessary for diversity jurisdiction,” *Novak v. Capital Mgmt. & Dev. Corp.*, 452 F.3d 902, 906 (D.C. Cir. 2006) (quoting *Naartex Consulting Corp. v. Watt*, 722 F.2d 779, 792 n.20 (D.C. Cir. 1983)).

Plaintiff has pled no facts from which the Court can ascertain her citizenship and that of each defendant. Furthermore, plaintiff seeks compensatory damages “in excess of Sixty Million One Hundred and Eight Dollars” to cover “residual costs or cost of the Lap Corp. billing” and “Forty Million Dollars” for “punitive damages” resulting from “the handling of [her] simple and minuscule claim.” Am. Compl. at 5-6. The Court can state with “legal certainty” that plaintiff’s claims are for far less amounts and thus are not made in good faith. A separate order of dismissal accompanies this Memorandum Opinion.

Date: November 8, 2019


United States District Judge