

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

AJS WEIGHTLOSS, LLC,

Plaintiff,

v.

Case No: 2:13-cv-711-FtM-38DNF

MICHAEL S. ROSENTHAL and
WAGNER, JOHNSTON &
ROSENTHAL, P.C.,

Defendants.

ORDER¹

This matter comes before the Court on Disclosure of LLC Member Citizenship (Doc. #8) filed on October 15, 2013. Pursuant to a previous Order (Doc. #6), Plaintiff, who bears the burden of adequately pleading and ultimately proving jurisdiction, is required to state the citizenship of each of its members no later than October 24, 2013. The previous Order noted should the LLC members also contain a limited liability company, the citizenship of the latter LLC's members must also be disclosed. In Plaintiff's response to the previous Order, Plaintiff discloses that the members of AJS Weightloss, LLC are Cordetren Enterprises, LLC and 2 Guys Weight Loss, LLC. However, Plaintiff does not disclose anything further. To establish proper diversity jurisdiction in this case, Plaintiff must now state the members of Cordetren Enterprises,

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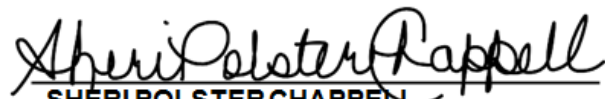
LLC and 2 Guys Weight Loss, LLC. If the members of the two additional LLCs are also limited liability companies, then Plaintiff must state those members as well, until individuals and non-LLC entities are all that are left to be reviewed. See [Moreno v. Breitburn Florida, LLC](#), No. 2:09-cv-566-FtM-29DNF, 2011 WL 2293124, at *1 (M.D. Fla. June 9, 2011) (“a limited liability company is a citizen of every state in which one of its members is located.”) (citing [Rollings Greens MHP, L.P. v. Comcast SCH Holdings, LLC](#), 374 F.3d 1020 (11th Cir. 2004)). To date Plaintiff has not satisfied the Court’s previous Order and has failed to establish the complete diversity of the Parties.

Accordingly, it is now

ORDERED:

- (1) Plaintiff’s Complaint (Doc. #[1](#)) is **DISMISSED without prejudice**.
- (2) Plaintiff may file an amended complaint on or before **November 12, 2013** in accordance with the above.

DONE and **ORDERED** in Fort Myers, Florida this 29th day of October, 2013.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record