

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

TRACY A. KERNAN,

Plaintiff,

vs.

Case No. 3:14-cv-1483-J-32JBT

LOWE'S HOME CENTERS, LLC, etc.,

Defendant.

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**ORDER**

Upon review, the Court finds plaintiff's complaint satisfies the pleading standards required by Rule 8 of the Federal Rules of Civil Procedure. Through discovery, the parties can determine which of three Lowe's stores in Duval County allegedly sold the grill brush. See Doc. 2 (plaintiff's complaint) at ¶ 4 (referencing three Lowe's retail stores). Defendant's motion to dismiss (Doc. 4) is **denied**. See ABB Turbo Systems AGA v. Turbousa, Inc., 774 F.3d 979, 984 (11th Cir. 2014) ("Federal Rules of Civil Procedure Rule 8(a)(2) and Rule 12(b)(6) together establish a notice-pleading standard" that is satisfied "by the presence of factual allegations making relief under the governing law plausible, not merely speculative.") (quotations and citations omitted). Defendant shall file its answer to plaintiff's complaint no later than **March 31, 2015**.

By that same date, defendant shall file an amended certificate of interested parties that shall include the names and citizenship of each of its members so the Court can be assured that it has subject matter jurisdiction. See Rolling Greens MHP, L.P. v. Comcast SCH Holdings, L.L.C., 374 F.3d 1020 (11th Cir. 2004) (holding that the citizenship of limited

liability companies depends on the citizenship of each member).

**DONE AND ORDERED** at Jacksonville, Florida this 10th day of March, 2015.

  
TIMOTHY J. CORRIGAN  
United States District Judge

s.

Copies:

counsel of record