

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**RICHARD HAYWOOD,**

**Plaintiff,**

**v.**

**WALMART,**

**Defendant.**

**CIVIL ACTION NO. 5:16-CV-513 (MTT)**

**ORDER**

Defendant has not provided sufficient information for the Court to determine Defendant's citizenship for jurisdiction purposes. In Defendant's Notice of Removal (Doc. 1), it states "Wal-Mart Stores East, LP is a Delaware limited partnership with its principal place of business in the State of Arkansas." Doc. 1 at ¶ 4. The Court cannot determine Defendant's citizenship from this information. For purposes of diversity of citizenship under 28 U.S.C. § 1332, the citizenship of a limited partnership "depends on the citizenship of all [its] members." *Carden v. Arkoma Assocs.*, 494 U.S. 185, 195-96 (1990) (internal quotations omitted). Therefore, to determine if the Court has jurisdiction based on diversity of citizenship, the Court must analyze the citizenship of all the partners in a limited partnership. *Id.* Defendant, a limited partnership, has not provided the identity and citizenship of its partners. Defendant is therefore **ORDERED TO AMEND** its Notice of Removal (Doc. 1) to state the citizenship of its partners.

Additionally, Defendant states Plaintiff, in his Complaint (Doc. 1-4 at 3), incorrectly identifies Defendant as “Wal-Mart” and that the proper defendant is “Wal-Mart Stores East, LP.” Doc. 1 at ¶ 4. Unless the Plaintiff disagrees with this assertion, the caption of the case will be corrected to reflect Defendant’s proper name. Plaintiff shall show cause **within ten days** of service of this order if he believes this is improper.

**SO ORDERED**, this 13th day of January, 2017.

S/ Marc T. Treadwell  
MARC T. TREADWELL  
UNITED STATES DISTRICT COURT