

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

RICHARD HAYWOOD,)
Plaintiff,)
v.) CIVIL ACTION NO. 5:16-CV-513 (MTT)
WALMART,)
Defendant.)

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