

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

AMERICAN PACKING AND)
CRATING OF GA, LLC,)
)
Plaintiff,)
)
v.)
)
RESIN PARTNERS, INC. a)
Subsidiary of KETER PLASTICS,)
LTD., an Israeli Corporation d/b/a)
KETER NORTH AMERICA,)
)
Defendant.)

Case No. CV415-256

ORDER

In this breach of contract case, plaintiff American Packing and Crating of Georgia, LLC (APC) moves to amend its Complaint to add two additional defendants (doc. 17), and for jurisdictional discovery to ensure that one of those defendants, Keter North America, does not destroy diversity.¹ Doc. 18.

¹ A bit of procedural background: defendant Resin Partners has moved to dismiss the Complaint (doc. 10), claiming that APC has sued the wrong party (defendant contends that APC should have sued Keter North America, not Resin). The Court recently refused to stay discovery in light of that motion because, after a preliminary peek (the motion to dismiss is before the district judge, not the undersigned), it appeared that it was no “slam-dunk.” Doc. 16 at 5.

The motion to amend seeks to add Keter Plastics, Ltd. and Keter North America (“Keter entities”) as defendants. Doc. 17. Observing that (1) Resin will suffer no prejudice from those additions, (2) discovery hasn’t yet begun, and (3) Resin moved to dismiss and thus hasn’t answered, APC argues that joining the Keter entities in this action “will allow full adjudication of Plaintiff’s claims” since they “are the same claims that AP[I] has already brought against Resin.” Doc. 17 at 3-4.

In its motion for discovery, APC points out that Keter North America is an LLC, and thus all its members must be diverse from APC’s in order to maintain complete diversity. Doc. 18 at 1-2. APC believes that’s the case, but nevertheless wants “an Order allowing it to conduct jurisdictional discovery to determine the citizenship of the members of Keter North America” just to make sure. *Id.* at 2.

Upon review, the Court finds both motions supported and appropriate. Because they also are unopposed per Local Rule 7.5 (no response means no opposition), APC’s motion to amend (doc. 17) and motion for jurisdictional discovery (doc. 18) are **GRANTED**.

SO ORDERED, this 22nd day of February, 2016.

A handwritten signature in blue ink, appearing to read "J.R. Smith", is written above a horizontal line.

UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA