

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS

Normal Place, LLC,	)	
Plaintiff	)	
	)	
v.	)	12-1503
	)	
The American Insurance Company,	)	
Defendant	)	
	)	

**ORDER**

On Dec. 4, 2012, Defendant removed this case from the Circuit Court of McLean County. The Notice of Removal states that the court has jurisdiction pursuant to 28 USC 1332, because the parties are citizens of different states and the amount in controversy exceeds \$75,000. In making that general statement, Defendant relies on the complaint’s allegation that Normal Place is a “Delaware corporation with its principal place of business in Atlanta, Georgia.”

Plaintiff is a limited liability corporation. The citizenship of a limited liability corporation is determined by the citizenship of each of its members as of the date the complaint was filed. *Lexington Ins. Co. v. Gilco Scaffolding Co., LLC*, 2008 WL 2035760, 1 (ND Ill), citing *Cosgrove v. Bartolotta*, 150 F.3d 729, 731 (7th Cir.1998); *Thomas v Guardsmark, LLC*, 487 F3d 531, 533-34 (7<sup>th</sup> Cir 2007); and *Wise v Wachovia Securities LLC*, 450 F3d 265, 267 (7<sup>th</sup> Cir 2006); see also *Intec USA LLC v Engle*, 467 F3d 1038, 1042-43 (7<sup>th</sup> Cir 2006); and *Camico Mutual Insurance Co v Citizens Bank*, 474 F.3d 989, 992 (7<sup>th</sup> Cir 2007).

Neither the Notice of Removal nor the removed complaint contains adequate allegations from which this Court is able to ascertain its jurisdiction. The “obligation to

establish the propriety of federal jurisdiction always lies with the party invoking it, in this case defendants.” *MTC Development Group LLC v Lewis*, 2011 WL5868236 (ND Ill), citing *Boyd v Phoenix Funding Corp*, 366 F3d 524, 529 (7th Cir 2004).

Accordingly, Defendant is ordered to file, within 14 days of this date, a jurisdictional supplement to the Notice of Removal that adequately sets forth the basis for this Court’s jurisdiction.

ENTERED this 6th day of December, 2012.

s/ John A. Gorman

JOHN A. GORMAN  
UNITED STATES MAGISTRATE JUDGE