

**IN THE  
UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS  
PEORIA DIVISION**

NATIONAL TRUST INSURANCE  
COMPANY,  
Plaintiff,

v.

MACON GC, LLC d/b/a MACON  
GENERAL CONTRACTORS; and  
WESTCHESTER FIRE INSURANCE  
COMPANY,  
Defendants.

Case No. 1:17-cv-01408-JES-JEH

**Order**

The Plaintiff's Complaint (Doc. 1) asserts diversity of citizenship as the basis of the Court's subject matter jurisdiction. The allegations of the Complaint do not sufficiently support that assertion.

The Court may *sua sponte* raise the issue of federal subject matter jurisdiction. *Tylka v. Gerber Prod. Co.*, 211 F.3d 445, 447 (7th Cir. 2000) (citations omitted). The Complaint alleges the following information about the parties. Plaintiff National Trust is an insurance company organized and existing under the laws of the State of Indiana with its principal place of business in Sarasota, Florida. Defendant Macon GC, LLC d/b/a Macon General Contractors is a company organized and existing under the laws of the State of Illinois with its principal place of business in Bradford, Stark County, Illinois. Defendant Westchester Fire Insurance Company is an insurance company existing under the laws of the State of Pennsylvania with its principal place of business in Philadelphia, Pennsylvania.

Citizenship for diversity purposes of a limited liability company is the citizenship of each of its members. *Wise v. Wachovia Securities, LLC*, 450 F.3d 265, 267 (7th Cir. 2006). Thus, the Court must know the identity of each member of Defendant Macon GC, LLC d/b/a Macon General Contractors, as well as each member's citizenship. *Thomas v. Guardsmark, LLC*, 487 F.3d 531, 534 (7th Cir. 2007). If applicable, the Court must also know each member's members' citizenship. *Id.*

The Court may grant leave to amend defective allegations of subject matter jurisdiction pursuant to 28 U.S.C. § 1653. *See also Leaf v. Supreme Court of State of Wis.*, 979 F.2d 589, 595 (7th Cir. 1992) (“[L]eave to amend defective allegations of subject matter jurisdiction should be freely given”). Accordingly, the Plaintiff is directed to file an amended complaint that adequately alleges the factual basis for this Court's jurisdiction. The amended complaint shall be filed within 14 (fourteen) days of this date.

*It is so ordered.*

Entered on September 8, 2017.

s/Jonathan E. Hawley  
U.S. MAGISTRATE JUDGE