

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
URBANA DIVISION**

GOT GOLD LLC)	
)	
Plaintiff,)	
)	Case No. 12-CV-2278
v.)	
)	
SANDRA TEMPLE,)	
BRADLEY A. ROSE,)	
and)	
THE GOLD PEOPLE,)	
)	
Defendants.)	
)	

ORDER

On October 22, 2012, Plaintiff filed its Complaint (#1) in this court. On December 13, 2012, Defendants Sandra Temple, Bradley A. Rose, and The Gold People filed a Motion to Dismiss (#11). On the same day, Defendants also filed an Answer (#13). On March 12, 2013, Magistrate Judge David G. Bernthal entered a Report and Recommendation (#23) on the Motion to Dismiss (#11). No objections to the Report and Recommendation were timely filed. *See* 28 U.S.C. § 636(b)(1). This court therefore accepts Judge Bernthal’s well-reasoned analysis in the Report and Recommendation. *See Video Views, Inc. v. Studio 21, Ltd.*, 797 F.2d 538 (7th Cir. 1986).

Additionally, the Report and Recommendation notes that “several deficiencies exist in Plaintiff’s jurisdictional allegations: Plaintiff is an LLC but does not allege citizenship of its members, and Plaintiff alleges residency, not citizenship, of Temple and Rose.” “For diversity jurisdiction purposes, the citizenship of an LLC is the citizenship of each of its members.” *Thomas v. Guardsmark, LLC*, 487 F.3d 531, 534 (7th Cir. 2007). “[G]eneral and limited

partnerships are citizens of every jurisdiction of which any partner is a citizen.” *Indiana Gas Co., Inc. v. Home Ins. Co.*, 141 F.3d 314, 316 (7th Cir. 1998). Plaintiff is therefore ordered to file an amended complaint addressing the deficiencies. In the amended complaint, Plaintiff is ordered to include a jurisdictional statement identifying the citizenship of each and every one of its members as of the date of the amended complaint, as well as alleging the citizenship of each of the defendants. Failure to timely comply with this order or seek an extension of time shall result in the dismissal of the case with prejudice for lack of subject matter jurisdiction.

IT IS THEREFORE ORDERED THAT:

- (1) The Report and Recommendation (#23) is accepted by this court.
- (2) Defendants’ Motion to Dismiss (#11) is DENIED.
- (3) Plaintiff is ordered to file an amended complaint addressing the deficiencies discussed in this Order within 14 days.

ENTERED this 17th day of April, 2013

s/ Michael P. McCuskey
MICHAEL P. McCUSKEY
U. S. DISTRICT JUDGE