

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

BANK OF AMERICA, NATIONAL ASSOCIATION	)	
as successor by merger to LA SALLE	)	
NATIONAL BANK ASSOCIATION,	)	
	)	
Plaintiff,	)	
	)	
v.	)	10 C 7470
	)	
CROWN NORTHCORP, INC., et al.,	)	
	)	
Defendants.	)	

MEMORANDUM ORDER

Bank of America, N.A. ("Bank of America") has brought this action against Crown Northcorp, Inc. ("Crown"), seeking to invoke federal jurisdiction on diversity-of-citizenship grounds (Complaint ¶ 20). Because that invocation is somewhat problematic, this sua sponte memorandum order directs Bank of America's counsel to provide some further input on the subject.

According to the case caption, Crown is "acting for Wells Fargo Bank, N.A." ("Wells Fargo") in Wells Fargo's capacity as trustee for two sets of certificateholders. That would appear to make relevant, for diversity purposes, the citizenship of Wells Fargo (the real party in interest), rather than that of Crown as its agent.<sup>1</sup> And on that score the Complaint is silent.

Accordingly Bank of America's counsel is ordered to file an

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<sup>1</sup>Another part of the case caption contains the words "and against Crown as Special Servicer." It is unclear just what that means, but if it also renders Crown's citizenship relevant, the Complaint deals sufficiently with that subject.

appropriate amendment to the Complaint (not a self-contained restatement of the entire Complaint) dealing with Wells Fargo's citizenship or, if the concern expressed here is without foundation, a statement as to why Crown's citizenship controls. This Court will then deal with the matter in the manner that appears appropriate.



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Milton I. Shadur  
Senior United States District Judge

Date: November 22, 2010