

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

DAVID T. CLAY,

Plaintiff,

v.

ANEL DADO DURAKOVIC and
SAM TRANSPORT LLC,

Defendants.

Case No. 17-cv-00313-JPG-DGW

MEMORANDUM AND ORDER

In light of Seventh Circuit Court of Appeals admonitions, *see Foster v. Hill*, 497 F.3d 695, 696-97 (7th Cir. 2007), the Court has undertaken a rigorous initial review of pleadings to ensure that jurisdiction has been properly pled. *See Hertz Corp. v. Friend*, 559 U.S. 77, 94 (2010) (noting courts' "independent obligation to determine whether subject-matter jurisdiction exists, even when no party challenges it"). The Court has noted the following defects in the jurisdictional allegations of the Complaint (Doc. 1):

1. Failure to allege the citizenship of each member of an unincorporated association.

To determine if complete diversity exists, the Court must examine the citizenship of each member of a limited liability company. *See Carden v. Arkoma Assocs.*, 494 U.S. 185, 195-96 (1990); *Belleville Catering Co. v. Champaign Market Place, LLC*, 350 F.3d 691, 692 (7th Cir. 2003) (partnerships and limited liability companies are citizens of every state of which any member is a citizen); *Indiana Gas Co. v. Home Ins. Co.*, 141 F.3d 314, 316 (7th Cir. 1998). The relevant pleading must affirmatively allege the specific states of citizenship of each member of **SAM TRANSPORT LLC**.

The Court hereby **ORDERS** defendants to **SHOW CAUSE** on or before **April 17, 2017** why this case should not be dismissed for lack of jurisdiction. The Court **WARNS** that failure to respond to this order may result in the dismissal of this case for lack of jurisdiction. Amendment

of the faulty pleading to reflect the correct status of **SAM Transport LLC** and its members will satisfy this order. Defendants are directed to consult Local Rule 15.1 regarding amended pleadings and need not seek leave of Court to file such amended pleading.

IT IS SO ORDERED.

DATED: 3/27/2017

s/J. Phil Gilbert

J. PHIL GILBERT
DISTRICT JUDGE