

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

**NATHANIEL MITCHELL,**

**Plaintiff,**

**v.**

**EATON CORPORATION,**

**Defendant.**

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**CAUSE NO. 1:07-CV-221**

**OPINION AND ORDER**

This case was removed to this Court from the Superior Court of DeKalb County, Indiana, by Defendant “on grounds of federal question and diversity citizenship jurisdiction pursuant to 28 U.S.C. §§ 1332 and 1441.” (Docket # 2.) The Notice of Removal alleges that Plaintiff is a citizen of Fort Wayne, Indiana, and that Defendant is an Ohio corporation.

However, to the extent Defendant is alleging this Court has jurisdiction under diversity, its Notice of Removal is inadequate. Corporations “are deemed to be citizens of the state in which they are incorporated *and* of the state in which they have their principal place of business.” *N. Trust Co. v. Bunge Corp.*, 899 F.2d 591, 594 (7th Cir. 1990) (emphasis added); *see* 28 U.S.C. § 1332(c)(1). Thus, the Court must be apprised of both facts with respect to Defendant.

Therefore, Defendant is ORDERED to file by September 7, 2007, a supplemental notice of removal that recites the principal place of business of Defendant. SO ORDERED.

Enter for this 23rd day of August, 2007.

/S/ Roger B. Cosby  
Roger B. Cosby,  
United States Magistrate Judge