

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

LOIS J. BROWN and CHARLES H.)
BROWN,)
)
Plaintiffs,)
)
v.)
)
MICHAEL L. SPICHIGER,)
)
Defendant.)

CAUSE NO. 1:10-CV-158

OPINION AND ORDER

On January 5, 2012, Plaintiffs were granted leave to file a further Amended Complaint by January 19, 2012, alleging diversity of citizenship and adding a claim of rescission. Plaintiffs filed their Second Amended Complaint on January 19th, but it still does not allege diversity of *citizenship*. (Docket # 99.) Therefore, Plaintiffs have up to and including January 30, 2012, to file a Third Amended Complaint that properly alleges the *citizenship* of the parties. If a Third Amended Complaint is not filed, then the Second Amended Complaint will be subject to dismissal for lack of jurisdiction.

SO ORDERED.

Enter for this 23rd day of January, 2012.

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