

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

ALFREDIA MOORE-MCELVENE, )  
FREDERICK MOORE, and )  
JAMARCUS ROGERS, )

Plaintiffs, )

v. )

CAUSE NO. 1:11-CV-163

MILENA GRIVA and TST SOLUTIONS, L.P., )  
d/b/a TST OVERLAND EXPRESS, )  
TST EXPEDITED SERVICES, )  
TST TRUCKLOAD EXPRESS, )

Defendants. )

**OPINION AND ORDER**

This case was removed to this Court from the Allen Superior Court by Defendants based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (Docket # 2.) The Notice of Removal alleges that on information and belief, the Plaintiffs are citizens of Indiana. (Notice of Removal ¶ 10.)

The Defendants must file an Amended Notice of Removal, however, because “[a]llegations of federal subject matter jurisdiction may not be made on the basis of information and belief, only personal knowledge.” *Yount v. Shashek*, 472 F. Supp. 2d 1055, 1057 n.1 (S.D. Ill. 2006); *Ferolie Corp. v. Advantage Sales & Mktg., LLC*, No. 04 C 5425, 2004 WL 2433114, at \*1 (N.D. Ill. Oct. 28, 2004); *Hayes v. Bass Pro Outdoor World, LLC*, No. 02 C 9106, 2003 WL 187411, at \*2 (N.D. Ill. Jan. 21, 2003); *Multi-M Int’l, Inc. v. Paige Med. Supply Co.*, 142 F.R.D. 150, 152 (N.D. Ill. 1992).

Therefore, the Defendants are ORDERED to file an Amended Notice of Removal

forthwith, alleging on personal knowledge the citizenship of each Plaintiff.

SO ORDERED.

Enter for May 19, 2011

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