

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

THE BURLINGTON INSURANCE)
COMPANY,)
)
Plaintiff,)
)
v.)
)
HY-TEC FIBERGLASS, INC.,)
NESCO, LLC, and)
HYDRA-TECH, INC.,)
)
Defendants.)

CAUSE NO. 1:11-CV-368

OPINION AND ORDER

This case was filed in this Court on October 25, 2011, based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (Docket # 1.) The Complaint alleges that Defendant Nesco, LLC is “a domestic limited liability company organized under the laws of the state of Indiana” with “its principal place of business in Wells County, Indiana.” (Complaint ¶ 3.)

The Complaint, however, is inadequate because a limited liability company’s citizenship “for purposes of . . . diversity jurisdiction is the citizenship of its members.” *Cosgrove v. Bartolotta*, 150 F.3d 729, 731 (7th Cir. 1998). Therefore, the Court must be advised of all the members of Nesco, LLC and their citizenship to ensure that none of its members share a common citizenship with Plaintiff. *Hicklin Eng’g, L.C. v. Bartell*, 439 F.3d 346, 347 (7th Cir. 2006). Moreover, citizenship must be “traced through multiple levels” for those members of Nesco, LLC who are a partnership or a limited liability company, as anything less can result in a dismissal or remand for want of jurisdiction. *Mut. Assignment & Indem. Co. v. Lind-Waldock & Co., LLC*, 364 F.3d 858, 861 (7th Cir. 2004).

Therefore, Plaintiff is ORDERED to supplement the record by filing an Amended

Complaint reciting all of the members of Defendant Nesco, LLC and their citizenship by
November 10, 2011.

SO ORDERED.

Enter for this 26th day of October, 2011.

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