

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

SUNDANCE REHABILITATION CORP.,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO. 1:11-CV-375
)	
ANGOLA HEALTHCARE, LLC d/b/a)	
NORTHERN LAKES NURSING AND)	
REHABILITATION CENTER,)	
)	
Defendant.)	

OPINION AND ORDER

This case was filed in this Court on October 26, 2011, based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (Docket # 1.) The Complaint alleges that “[o]n information and belief,” Defendant Angola Healthcare, LLC d/b/a Northern Lakes Nursing and Rehabilitation Center, is a “limited liability company organized and existing under the laws of the State of Indiana” and that “[o]n information and belief, Northern Lakes has its principal place of business at 516 N. Williams Street, Angola, Indiana 46703.” (Complaint ¶ 2.)

The Complaint, however, is inadequate for two reasons. First, “[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) (citing *Am.’s Best Inns, Inc. v. Best Inns of Abilene, L.P.*, 980 F.2d 1072, 1074 (7th Cir. 1992)); accord *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., Inc.*, 142 F.R.D. 150, 152 (N.D. Ill. 1992). Consequently, Plaintiff must amend its Complaint to properly allege

jurisdiction on personal knowledge.

Moreover, as to Defendant Angola Healthcare, LLC, 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 Angola Healthcare, 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 Angola Healthcare, 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 on or before November 10, 2011, properly alleging on personal knowledge all of the members of Defendant Angola Healthcare, LLC and their citizenship.

SO ORDERED.

Enter for this 27th day of October, 2011.

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