

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

MOTORISTS MUTUAL INSURANCE)	
COMPANY,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO. 1:11-CV-396
)	
MOHAMED N Q YAHYA and)	
HANA HARHARA, Individually and)	
as Surviving Natural Parents of)	
MOHAMMED NASSER, a Deceased Minor,)	
)	
Defendants.)	

OPINION AND ORDER

Plaintiff filed this case in this Court based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (Docket # 1.) The Complaint alleges that, “[o]n information and belief, Defendant Mohamed N Q Yahya is a citizen and resident of Topeka, LaGrange County, Indiana,” and that, “[o]n information and belief, Defendant Hana Harhara is a resident and citizen of Topeka, LaGrange County, Indiana.” (Compl. ¶¶ 4-5.)

Plaintiff’s jurisdictional allegations, however, inadequately set forth the citizenship of the Defendants, Mohamed N Q Yahya and Hana Harhara. It is well-settled that “[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)); *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). Consequently, Plaintiff must amend its Complaint with respect to the citizenship of the Defendants.

Therefore, the Plaintiff is ORDERED to supplement the record by filing an Amended Complaint on or before December 5, 2011, properly alleging on personal knowledge the citizenship of Defendant Yahya and Defendant Harhara.

SO ORDERED.

Entered this 21st day of November, 2011.

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