UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA FORT WAYNE DIVISION

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THE CITIZENS NATIONAL BANK OF PARIS, N.A.,
Plaintiff,
v.
MARK S. BOVEE AND WAYNE F. SCHNEPF, JR., <i>Individually, and as Agents of</i> <i>All Appraisals, Inc.</i> , and ALL APPRAISALS, INC.,
Defendants.

CAUSE NO. 1:11-CV-418

This case was filed in this Court on December 15, 2011, based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (Docket # 1.) The Complaint alleges that "Plaintiff is a banking corporation organized under the laws of the State of Illinois, and having its principal offices at 110 West Court Street, Paris, Illinois, 61944." (Compl. ¶ 1.)

OPINION AND ORDER

The Complaint, however, is inadequate as to Plaintiff's citizenship because corporations "are deemed to be citizens of the state in which they are incorporated *and* of the state in which they have their *principal place of business.*" *N. Trust Co. v. Bunge Corp.*, 899 F.2d 591, 594 (7th Cir. 1990) (emphasis added); *see* 28 U.S.C. § 1332(c)(1). The term "principal place of business" refers to the corporation's "nerve center"—the place where a corporation's officers direct, control, and coordinate the corporation's activities. *Hertz Corp. v. Friend*, 130 S. Ct. 1181, 1192 (2010). Thus, the Court must be apprised of both facts—the state of incorporation and the state in which the principal place of business is located—with respect to Plaintiff, The Citizens

National Bank of Paris, N.A. While the Complaint alleges that Plaintiff has its principal offices in Illinois, it does not expressly identify Plaintiff's principal place of business. Although the location of Plaintiff's principal offices may be its principal place of business, "[i]f so, the plaintiff[] should say so." *Engrav v. Proassurance WI Ins. Co.*, No. 09-cv-196-slc, 2010 WL 520188, at *1 (W.D. Wis. Feb. 10, 2010).

Therefore, Plaintiff is ORDERED to supplement the record by filing an Amended Complaint on or before January 6, 2012, properly alleging the Plaintiff's citizenship, including its principal place of business.

SO ORDERED.

Enter for this 28th day of December, 2011.

<u>/S/ Roger B. Cosbey</u> Roger B. Cosbey, United States Magistrate Judge