

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

THE CINCINNATI INSURANCE)	
COMPANY,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO. 1:12-CV-221
)	
TODD KUHN and DIKE DAME,)	
)	
Defendants.)	

OPINION AND ORDER

This case was filed in this Court on June 29, 2012, based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (Docket # 1.) The Complaint alleges that “[u]pon information and belief, Defendant Dike Dame (“Dame”) was at all relevant times and still is a citizen of the State of Oregon with his primary residence in Portland, Oregon.” (Compl. ¶ 3.)

The Complaint, however, is inadequate 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*, No. Civ. 06-753-GPM, 2006 WL 4017975, at *10 n.1 (S.D. Ill. Dec. 7, 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 to allege the citizenship of Defendant Dike Dame on personal knowledge rather than on information and belief.

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

Complaint on or before July 13, 2012, properly alleging on personal knowledge the citizenship of Defendant Dike Dame.

SO ORDERED.

Enter for this 29th day of June, 2012.

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