

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

**NATALIE M. HUCK,**

**Plaintiff,**

**v.**

**TARGET CORPORATION,**

**Defendant.**

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**CAUSE NO. 1:12-CV-249**

**OPINION AND ORDER**

This case was removed to this Court from the Allen Superior Court by Defendant based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (Docket # 2.) The Notice of Removal alleges that Defendant Target Corporation (“Target”) is “a foreign corporation with a principal place of business located in Minneapolis, Minnesota.” (Notice of Removal ¶ 3(b).)

Defendant’s Notice of Removal, however, is inadequate as to Target 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). Although Target’s principal place of business is properly alleged, merely alleging that Target is a “foreign corporation” does not establish its state of incorporation. *See Jackson v. Arvinmeritor, Inc.*, No. 1:07-cv-0430-DFH-WTL, 2008 WL 64528, at \*2 n.1 (S.D. Ind. Jan. 3, 2008) (finding an allegation that the defendant was a “foreign” corporation

insufficient to establish diversity because neither party informed the Court of the defendant corporation's state of incorporation or principal place of business). Thus, the Court must be apprised of the state in which Target is incorporated to determine whether diversity jurisdiction exists.

Therefore, Defendant is ORDERED to supplement the record by filing an Amended Notice of Removal on or before August 6, 2012, properly alleging Target's state of incorporation.

SO ORDERED.

Enter for this 23rd day of July, 2012.

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