

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

BRADLEY BONAR,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO. 1:14-CV-402
)	
INTERCON CARRIERS, L.C., and MELITON SILVA,)	
)	
Defendants.)	

OPINION AND ORDER

Defendants Intercon Carriers, L.C., and Meliton Silva removed this case here on December 23, 2014, from Noble Circuit Court, Albion, Indiana, alleging that the Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332. (Docket # 1.) In the Notice of Removal, Defendants allege that Plaintiff Bradley Bonar is a citizen of the State of Indiana; Defendant Meliton Silva is a citizen of the State of Texas; and Defendant Intercon Carriers, L.C., “is a limited liability company, and the two members of Intercon Carriers, L.C., are both citizens of the State of Texas.” (Notice of Removal ¶¶ 5-7.)

Defendants’ jurisdictional allegations inadequately set forth the citizenship of Intercon Carriers, L.C. As the party seeking to invoke federal diversity jurisdiction, Defendants bear the burden of demonstrating that the requirement of complete diversity has been met. *Chase v. Shop’n Save Warehouse Foods, Inc.*, 110 F.3d 424, 427 (7th Cir. 1997). Defendants cannot, as they attempt to do here, merely allege a “naked declaration that there is diversity of citizenship” in its Notice of Removal. *Thomas v. Guardsmark, LLC*, 487 F.3d 531, 533 (7th Cir. 2007).

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). Thus,

the Court must be advised of the identity of each member of Defendant Intercon Carriers, L.C., and such member's citizenship. *Hicklin Eng'g, L.C. v. Bartell*, 439 F.3d 346, 347 (7th Cir. 2006); *see generally Guar. Nat'l Title Co. v. J.E.G. Assocs.*, 101 F.3d 57, 59 (7th Cir. 1996) (explaining that the court would "need to know the name and citizenship(s)" of each partner for diversity jurisdiction purposes).

Therefore, Defendants are ORDERED to supplement the record on or before January 20, 2015, by filing an Amended Notice of Removal that properly alleges the citizenship of each party, including the identity and citizenship of each member of Defendant Intercon Carriers, L.C.

SO ORDERED.

Enter for this 6th day of January 2015.

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