

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

WHITLEY MANUFACTURING, INC.,)

Plaintiff,)

v.)

CASE NO: 1:15-cv-95

SYNERGY BUILDING SOLUTIONS)

& LOGISTICS, LLC,)

Defendant.)

OPINION and ORDER

This case was removed to this Court from the Whitley Circuit Court by Defendant Synergy Building Solutions & Logistics, LLC, based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (Docket # 1.) The Notice of Removal alleges that Plaintiff Whitley Manufacturing, Inc., is an Indiana corporation with its principal place of business in Indiana; and that Defendant Synergy Building Solutions & Logistics, LLC, is a Colorado limited liability company with its principal place of business in Colorado. (Not. of Removal ¶ 2.)

But the Notice of Removal is inadequate because it fails to properly allege the citizenship of Defendant. The state in which a limited liability company (“LLC”) is organized is immaterial for purposes of determining diversity jurisdiction; an LLC’s citizenship “for purposes of . . . diversity jurisdiction is the citizenship of its members.” *Cosgrove v. Bartolotta*, 150 F.3d 729, 731 (7th Cir. 1998).

Therefore, the Court must be advised of the identity of each member of Synergy Building Solutions & Logistics, LLC, 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). Moreover, citizenship must be “traced through multiple levels” for those members who are a partnership or an LLC, as anything less can result in a remand for want of jurisdiction. *Mut. Assignment & Indem. Co. v. Lind-Waldock & Co., LLC*, 364 F.3d 858, 861 (7th Cir. 2004).

Accordingly, Defendant is ORDERED to supplement the record by filing an amended notice of removal on or before May 7, 2015, that properly alleges its citizenship.

SO ORDERED.

Enter for this 23rd day of April 2015.

/s Susan Collins
Susan Collins,
United States Magistrate Judge