

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

HYDRAULIC PERFORMANCE)	
MACHINES SRL,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO. 1:15-CV-138-RL-SLC
)	
HERCULES MACHINERY)	
CORPORATION,)	
)	
Defendant.)	

OPINION AND ORDER

Before the Court is an amended complaint filed by Plaintiff Hydraulic Performance Machines SRL against Defendant Hercules Machinery Corporation, alleging that this Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332. (DE 7). Although the amended complaint now properly alleges Plaintiff’s citizenship, the jurisdictional allegations are still inadequate with respect to Defendant because they are set forth “[u]pon information and belief.” (DE 7 at ¶ 2).

As the Court explained in its June 2, 2015, Order (DE 6), “[a]llegations of federal subject matter jurisdiction may not be made on the basis of information and belief, only personal knowledge.” *Yount v. Shashek*, 472 F. Supp. 2d 1055, 1057 n.1 (S.D. Ill. 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).

As the party seeking to invoke federal diversity jurisdiction, Plaintiff bears 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). Therefore, Plaintiff is ORDERED to

supplement the record on or before June 23, 2015, with an adequate allegation of Defendant's citizenship.

SO ORDERED.

Enter for this 16th day of June, 2015.

s/ Susan Collins
Susan Collins,
United States Magistrate Judge