

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

<p><b>DONNA MCKEE,</b></p> <p style="padding-left: 100px;"><b>Plaintiff,</b></p> <p><b>v.</b></p> <p><b>WALMART, INC.,</b></p> <p style="padding-left: 100px;"><b>Defendant.</b></p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>CASE NO: 1:15-cv-00358-RLM-SLC</b></p>
--	---	--

**OPINION AND ORDER**

Defendant Wal-Mart Stores East, LP, sued as Walmart, Inc., removed this case here based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). (DE 1). The notice of removal reflects that Plaintiff is a citizen of Indiana. (DE 1 at ¶ 3). The notice further alleges that the partners of Wal-Mart Stores East, LP, are WSE Management, LLC, and WSE Investment, LLC, whose sole member is Wal-Mart Stores East, LLC. (DE 1 at ¶ 2). In addition, the notice alleges that the parent company of Wal-Mart Stores East, LLC, is Wal-Mart Stores, Inc., and that the principal place of business for all of the Wal-Mart entities is in Arkansas. (DE 1 at ¶ 2).

Defendant’s allegations with respect to its own citizenship, however, are incomplete. Corporations “are deemed to be citizens of the state in which they are incorporated *and* 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) (citing 28 U.S.C. § 1332(c)(1)). Here, Defendant’s notice of removal does not identify the state in which Wal-Mart Stores, Inc., is incorporated.

Accordingly, Defendant is ORDERED to file an amended petition for removal on or

before December 16, 2015, that properly alleges its citizenship.

SO ORDERED.

Enter for this 2nd day of December 2015.

/s/ Susan Collins  
Susan Collins  
United States Magistrate Judge