

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

KIRILA FIRE TRAINING)
FACILITIES,)
)
Plaintiff,)
)
)
v.)**CAUSE NO. 1:15-cv-368-JVB-SLC**
)
SMITH ERECTORS, INC.,)
)
)
Defendant.)

OPINION AND ORDER

Plaintiff Kirila Fire Training Facilities filed a complaint against Defendant Smith Erectors, Inc., on December 4, 2015, alleging that this Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332. (DE 1). The complaint recites that Plaintiff is an Ohio corporation with its principal place of business in Ohio, and that “upon information and belief,” Defendant is an Indiana corporation with its principal place of business in Indiana. (DE 1 ¶ 3).

Plaintiff's jurisdictional allegations with respect to Defendant are inadequate. "Allegations 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)); see *Ferolie Corp. v. Advantage Sales & Mktg., LLC*, No. 04 C 5425, 2004 WL 2433114, at *1 (N.D. Ill. Oct. 28, 2004); *Hayes v. Bass Pro Outdoor World, LLC*, No. 02 C 9106, 2003 WL 187411, at *2 (N.D. Ill. Jan. 21, 2003). Accordingly, Plaintiff's "belief" that Defendant is an Indiana corporation with its principal place of business in Indiana is insufficient.

Therefore, Plaintiff is ORDERED to supplement the record on or before December 22,

2015, by filing an amended complaint that adequately alleges the citizenship of each party.

SO ORDERED.

Enter for this 8th day of December 2015.

/s/ Susan Collins

Susan Collins

United States Magistrate Judge