

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

MID-AMERICAN SALT LLC)
f/k/a Midwest Salt of Fort Wayne, LLC,)
)
Plaintiff,)

v.)

CASE NO: 1:16-cv-00285-TLS-SLC

Bob & Dave's Lawn and Landscape)
Maintenance, Inc., d/b/a Midwest Melt)
Solutions,)
)
Defendant.)

OPINION AND ORDER

Before the Court is a Notice of Removal filed by Defendant, alleging that the Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332. (DE 1). In the Notice of Removal, Defendant alleges that Plaintiff Mid-American Salt, LLC, is “a limited liability company organized and existing under the laws of the State of Indiana” (DE 1 ¶ 2), and as such, Plaintiff is a citizen of Indiana (DE 1 ¶ 6).

This allegation is inadequate for purposes of establishing diversity jurisdiction. 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). Therefore, the Court must be advised of the name and citizenship of each of the members of Plaintiff Mid-American Salt, LLC, to ensure that none of the members share a common citizenship with Defendant. *Hicklin Eng’g, L.C. v. Bartell*, 439 F.3d 346, 347 (7th Cir. 2006). Such citizenship must be “traced through multiple levels” for those members of Plaintiff who are a partnership or a limited liability company, 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).

As the party seeking to invoke federal diversity jurisdiction, Defendant 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, Defendant is ORDERED to supplement the record by filing an amended notice of removal that properly alleges the citizenship of each of the parties on or before August 5, 2016.

SO ORDERED.

Enter for this 22nd day of July 2016.

/s/ Susan Collins
Susan Collins,
United States Magistrate Judge