

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

OMNISOURCE ELECTRONICS)	
RECYCLING, LLC,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO. 1:17-cv-00027-TLS-SLC
)	
PC REBUILDERS AND RECYCLERS, LLC,)	
)	
Defendant.)	

OPINION AND ORDER

On January 24, 2017, Plaintiff Omnisource Electronics Recycling, LLC, filed an amended complaint against Defendant PC Rebuilders and Recyclers, LLC, alleging that this Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332. (DE 5). The amended complaint alleges that Plaintiff is an Indiana company with its principal place of business in Indiana and that Defendant is an Illinois company with its principal place of business in Illinois. (DE 5 ¶¶ 1, 3).

Plaintiff’s jurisdictional allegations inadequately set forth the citizenship of the parties. 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).

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). Thus, the Court must be advised of the identity of each member of Plaintiff and Defendant, and such member’s citizenship. *Hicklin Eng’g, L.C. v. Bartell*, 439 F.3d 346, 347 (7th Cir. 2006).

Plaintiff cannot merely allege a “naked declaration that there is diversity of citizenship” in its

complaint. *Thomas v. Guardsmark, LLC*, 487 F.3d 531, 533 (7th Cir. 2007); *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). “[C]itizenship of unincorporated associations must be traced through however many layers of partners or members there may be.” *Meyerson v. Harrah’s East Chi. Casino*, 299 F.3d 616, 617 (7th Cir. 2002) (citations omitted).

Therefore, Plaintiff is ORDERED to supplement the record on or before February 7, 2017, by filing a second amended complaint that properly alleges the citizenship of the parties, tracing such citizenship through all applicable layers of ownership.

SO ORDERED.

Enter for this 24th day of January 2017.

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