

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

**MOTORISTS MUTUAL INSURANCE)
COMPANY,)
)
Plaintiff,)
)
v.)
)
ELITE HOME PRODUCTS, LLC, *et al.*,)
)
Defendants.)**

CASE NO: 1:17-cv-00084-JTM-SLC

OPINION AND ORDER

Before the Court is an amended complaint filed by Plaintiff Motorists Mutual Insurance Company, alleging that this Court has diversity jurisdiction pursuant to 28 U.S.C. § 1332. (DE 4). 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). Although Plaintiff’s amended complaint remedies three of the deficiencies identified in this Court’s Order dated March 9, 2017 (DE 3), it still fails to adequately allege the citizenship of Defendant Elite Home Products, LLC, for purposes of establishing diversity jurisdiction.

To explain, Plaintiff alleges that the “listed member” of Elite Home Products, LLC, is Amy Ng, who “is a resident of Louisiana and is therefore a citizen of the State of Louisiana.” (DE 4 ¶ 4). First, the Court needs to be informed of the name and citizenship of *each* member of Elite Home Products, LLC, not just the “listed member.” Second, as to Amy Ng, residency is meaningless for purposes of diversity jurisdiction; an individual’s citizenship is determined by his or her domicile. *See Winforge, Inc. v. Coachmen Indus., Inc.*, 691 F.3d 856, 867 (7th Cir. 2012); *Heinen v. Northrop Grumman Corp.*, 671 F.3d 669, 670 (7th Cir. 2012) (“But residence

may or may not demonstrate citizenship, which depends on domicile—that is to say, the state in which a person intends to live over the long run.”); *Guar. Nat’l Title Co., Inc. v. J.E.G. Assocs.*, 101 F.3d 57, 58-59 (7th Cir. 1996) (explaining that statements concerning a party’s “residency” are not proper allegations of citizenship as required by 28 U.S.C. § 1332).

Therefore, Plaintiff is ORDERED to supplement the record on or before April 6, 2017, by filing a jurisdictional statement that properly alleges the citizenship of the parties.

SO ORDERED.

Entered this 23rd day of March 2017.

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