

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

MICHAEL MILLER,)	
Plaintiff,)	
)	
v.)	CAUSE NO. 1:17-CV-330-WCL-PRC
)	
BRISTOL-MYERS SQUIBB COMPANY, <i>et al.</i> ,)	
Defendants.)	

OPINION AND ORDER

Plaintiff Michael Miller filed a Complaint based on diversity jurisdiction pursuant to 28 U.S.C. § 1332(a). On August 4, 2017, the case was transferred to this Court.

The Court must continuously police its subject matter jurisdiction. *Hay v. Ind. State Bd. of Tax Comm'rs*, 312 F.3d 876, 879 (7th Cir. 2002). As the party seeking to invoke federal diversity jurisdiction, Miller 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). Anything less can result in a dismissal. *Mut. Assignment & Indem. Co. v. Lind-Waldock & Co., LLC*, 364 F.3d 858, 861 (7th Cir. 2004).

The complaint recites that Miller is a citizen of Indiana, that Defendant Bristol-Myers Squibb Company is a Delaware corporation with its principal place of business in New York, that Defendant McKesson Corporation is a Delaware corporation with its principal place of business in California, and that Defendant AstraZeneca Pharmaceuticals LP “is a Delaware limited partnership with its principal place of business [in Delaware].” (Compl. ¶ 10, ECF No. 1).

The statement of citizenship is insufficient as to AstraZeneca Pharmaceuticals LP. “[F]or purposes of deciding whether a suit by or against a limited partnership satisfies the requirement of complete diversity of citizenship . . . the citizenship of all the limited partners, as well as of the

general partner[s], counts.” *Market St. Assocs. LP v. Frey*, 941 F.2d 588, 589 (7th Cir. 1991) (citing *Carden v. Arkoma Assocs.*, 494 U.S. 185 (1990)). Moreover, “the citizenship of unincorporated associations must be traced through however many layers of partners or members there may be.” *Meyerson v. Showboat Marina Casino P’ship*, 312 F.3d 318, 320 (7th Cir. 2002) (citations omitted).

Therefore, the Court hereby **ORDERS** Plaintiff Michael Miller to **FILE** a Supplemental Jurisdictional Statement on or before **August 23, 2017**, setting forth the identity and citizenship of each of the partners of AstraZeneca Pharmaceuticals LP, tracing through all applicable layers of ownership.

So ORDERED this 7th day of August, 2017.

s/ Paul R. Cherry
MAGISTRATE JUDGE PAUL R. CHERRY
UNITED STATES DISTRICT COURT