

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

KELLY L. BRUECK)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:14-CV-227 JD
)	
JOHN MANEELY COMPANY, INC., <i>et</i>)	
<i>al.</i> ,)	
)	
Defendants.)	

OPINION AND ORDER

The Plaintiff, Kelly L. Brueck, filed suit on July 2, 2014 against her would-be employer, John Maneely Company, Inc. This Court’s jurisdiction was based on the diversity of the parties, as the complaint alleged that Ms. Brueck is a citizen of Indiana, and that John Maneely Company is a citizen of Pennsylvania and of Illinois. John Maneely Company moved to dismiss for failure to state a claim, and Ms. Brueck responded by amending her complaint. In doing so, she added three additional defendants: Glen Belk, Erin Campbell, and Kirstin Nielsen, each allegedly employees of John Maneely Company. However, the Amended Complaint does not allege the citizenship of those three individuals.

The defendants moved to dismiss the complaint for failure to state a claim, without raising any jurisdictional concern, but this Court has an independent obligation to ensure that it has subject matter jurisdiction over this action. Because Ms. Brueck has filed an Amended Complaint, the Court must analyze its jurisdiction based on the allegations in that pleading. *Wellness Cmty.-Nat’l v. Wellness House*, 70 F.3d 46, 49 (7th Cir. 1995). Where federal jurisdiction is based on diversity of citizenship, the party seeking to invoke jurisdiction must allege the citizenship of each party so that the Court can ensure that complete diversity exists.

E.g., Heinen v. Northrop Grumman Corp., 671 F.3d 669, 670 (7th Cir. 2012) (stating that a party must plead individual defendants’ “citizenship,” as distinguished from their “residence”). Since Ms. Brueck did not allege the citizenship of the three individual defendants, she has failed to properly invoke this Court’s diversity jurisdiction. Therefore, the Court DISMISSES the Amended Complaint, and GRANTS Ms. Brueck through November 21, 2014 to file an amended complaint that properly supports federal jurisdiction. The Defendants’ pending motion to dismiss the Amended Complaint [DE 21] is DENIED as moot, but with leave to refile as to a subsequent complaint.

SO ORDERED.

ENTERED: October 22, 2014

/s/ JON E. DEGUILIO
Judge
United States District Court