

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

ASHLEE K. LEEPER,)	
Plaintiff,)	
)	
v.)	CAUSE NO.: 2:15-CV-414-RL-PRC
)	
A.J. LINES, INC., BALTIC FREIGHT CORP.,)	
and ABINET E. KEBEDE,)	
Defendants.)	

OPINION AND ORDER

This matter is before the Court on a Motion to Amend Complaint [DE 70], filed by Plaintiff Ashlee K. Leeper on April 25, 2017. In the motion, Plaintiff seeks leave to amend her complaint to add BNSF Logistics, LLC as a defendant.

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, Plaintiff bears the burden of demonstrating that the requirement of complete diversity is met. *Chase v. Shop'n Save Warehouse Foods, Inc.*, 110 F.3d 424, 427 (7th Cir. 1997). The jurisdictional allegations of the proposed Amended Complaint are deficient. There is insufficient information to determine the citizenship of BNSF Logistics, LLC.

A limited liability company is analogous to a partnership and takes the citizenship of its members. *Belleville Catering Co. v. Champaign Mkt. Place, LLC*, 350 F.3d 691, 692 (7th Cir. 2003). If the members of the limited liability company are themselves limited liability companies, the plaintiff must also plead the citizenship of those members. *Thomas v. Guardsmark, LLC*, 487 F.3d 531, 534 (7th Cir. 2007). The proposed Amended Complaint alleges, without more, that BNSF Logistics, LLC is "a Delaware Limited Liability Company." The proposed Amended Complaint is silent as to the members of BNSF Logistics, LLC. Therefore, Plaintiff must advise the Court of the

identity and citizenship of each member of BNSF Logistics, LLC. If any of those members are themselves limited liability companies, the identity and citizenship of the members of each member limited liability company must also be provided.

Based on the foregoing, the Court hereby **DENIES without prejudice** the Motion to Amend Complaint [DE 70]. Plaintiff may refile the motion with the appropriate allegations of citizenship for BNSF Logistics, LLC.

SO ORDERED this 10th day of May, 2017.

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