

**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 Second Motion to Amend Complaint [DE 73], filed by Plaintiff Ashlee K. Leeper on May 30, 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). The proposed Amended Complaint alleges that BNSF Logistics, LLC is a Delaware Limited Liability Company whose sole member is Freightwise, Inc. Thus, BNSF Logistics, LLC's citizenship is the same as the citizenship of Freightwise, Inc.

A corporation is a citizen of the state of its incorporation and of its principal place of business. 28 U.S.C. § 1332(c)(1). Though the proposed amended complaint alleges that Freightwise,

Inc. is a Texas corporation, the proposed amended complaint is silent as to the principal place of business of Freightwise, Inc. Plaintiff must also advise the Court of the principal place of business of Freightwise, Inc., so that the Court can determine whether the Court would have subject matter jurisdiction over this case in the event that Plaintiff is given leave to amend her complaint to add BNSF Logistics, LLC as a defendant.

Based on the foregoing, the Court hereby **DENIES without prejudice** the Second Motion to Amend Complaint [DE 73]. Plaintiff may refile the motion with the appropriate allegations of citizenship for Freightwise, Inc.

SO ORDERED this 30th day of May, 2017.

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