

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

DOLORES KALLAS,)	
)	
Plaintiff,)	
)	
v.)	3:22CV838-PPS/MGG
)	
CHASEN THOMPSON, et al.,)	
)	
Defendants)	

OPINION AND ORDER

This case was removed to federal court on the basis of diversity jurisdiction by defendants Chasen Thompson and Hilton-Spencerport, Inc. on October 4, 2022. [DE 1.] I must be vigilant about the continued existence of subject matter jurisdiction throughout the course of each case before me. Upon review of the parties’ latest disclosures relating to diversity jurisdiction [DE 65, 23, 57, 64, 62 and 66], I conclude that diversity of citizenship no longer exists to support federal subject matter jurisdiction. At today’s telephonic conference on the matter, all counsel agreed with that conclusion.

Plaintiff Dolores Kallas is a citizen of Illinois. [DE 65.] Defendant ITR Concession Company, LLC, added by Kallas’s amended complaint subsequent to removal [DE 21], has a member (Allstate Investments LLC) which is an Illinois citizen. [DE 62 at 5.] Defendant Traffic Control Specialists, LLC, also added in the amended complaint, has a parent company (TCP Acquisitions, LLC) with many members that are Illinois citizens. [DE 66 at 2-7.] Pursuant to 28 U.S.C. §1447(e), because the plaintiff has

joined “additional defendants whose joinder would destroy subject matter jurisdiction,” the court must remand the action to the state court from which it was removed.

ACCORDINGLY:

Pursuant to 28 U.S.C. §1447(e), in view of the joinder of additional defendants which destroy subject matter jurisdiction based on diversity of citizenship, this action is REMANDED to St. Joseph County Superior Court.

SO ORDERED.

ENTERED: January 30, 2024.

/s/ Philip P. Simon
UNITED STATES DISTRICT JUDGE