

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

TOVAR SNOW PROFESSIONALS, INC.,)	
)	
Plaintiff,)	
)	
v.)	No. 1:15-cv-00200-TWP-DML
)	
ALL SEASONS GENERAL)	
CONTRACTING, LLC,)	
)	
Defendant.)	

SECOND ENTRY ON JURISDICTION

On February 24, 2015, the Court ordered Plaintiff Tovar Snow Professionals, Inc. to file a supplemental jurisdictional statement, identifying the members of Defendant All Seasons General Contracting, LLC, and the citizenship of each member of the LLC, so that the Court may determine whether it has subject matter jurisdiction over this case ([Filing No. 16](#)).

On February 27, 2015, the Plaintiff filed its supplemental jurisdictional statement ([Filing No. 17](#)). However, the jurisdictional statement is still deficient in that the statement of citizenship for the Defendant's member asserts, "Mr. Lucas Rhees is the sole member of All Seasons, and resides in Kokomo (Howard County), Indiana." ([Filing No. 17 at 1](#).) Such a statement is still insufficient to allege citizenship. Citizenship is the operative consideration for jurisdictional purposes. *See Meyerson v. Harrah's East Chicago Casino*, 299 F.3d 616, 617 (7th Cir. 2002) ("residence and citizenship are not synonyms and it is the latter that matters for purposes of the diversity jurisdiction").

Therefore, the Plaintiff is **ORDERED** to file a Second Supplemental Jurisdictional Statement that establishes the Court's diversity jurisdiction over this case. This statement should

specifically identify the citizenship of All Seasons General Contracting, LLC's sole member, Lucas Rhees. This Supplemental Jurisdictional Statement is due **7 days** from the date of this Entry.

SO ORDERED.

Date: 3/4/2015



Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

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