

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

COUNTY MATERIALS CORP., and)	
CENTRAL PROCESSING CORP.,)	
)	
Plaintiffs,)	
)	No. 1:16-cv-01456-TWP-TAB
v.)	
)	
INDIANA PRECAST, INC.,)	
RYAN S. GOOKINS, and)	
RICHARD A. RECTENWAL, III,)	
)	
Defendants.)	

ENTRY ON JURISDICTION

It has come to the Court’s attention that the Plaintiffs’ Complaint fails to allege all of the facts necessary to determine whether this Court has subject matter jurisdiction over this case. The Complaint alleges that this Court has jurisdiction based upon diversity of citizenship. However, the Complaint fails to sufficiently allege the citizenship of the Defendants. Jurisdictional allegations must be made on personal knowledge, not on information and belief, to invoke the subject matter jurisdiction of a federal court. *See America’s Best Inns, Inc. v. Best Inns of Abilene, L.P.*, 980 F.2d 1072, 1074 (7th Cir. 1992) (only a statement about jurisdiction “made on personal knowledge has any value,” and a statement made “to the best of my knowledge and belief” is insufficient” to invoke diversity jurisdiction “because it says nothing about citizenship”); *Page v. Wright*, 116 F.2d 449, 451 (7th Cir. 1940) (an allegation of a party’s citizenship for diversity purposes that is “made only upon information and belief” is unsupported).

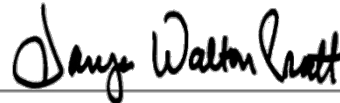
The Plaintiffs initiated this lawsuit by filing their Complaint, which alleges that “[o]n information and belief, Defendant Indiana Precast, Inc. (“Indiana Precast”), is an Indiana corporation having a principal place of business located at 11802 North Green River Road,

Evansville, Indiana 47725.” ([Filing No. 1 at 2.](#)) The Plaintiffs similarly alleged the other Defendants’ citizenship “on information and belief.” Allegations made upon information and belief are not sufficient to allow the Court to determine whether diversity jurisdiction exists.

Therefore, the Plaintiffs are **ORDERED** to file a Supplemental Jurisdictional Statement that establishes the Court’s jurisdiction over this case. This Supplemental Jurisdictional Statement is due **fourteen (14) days** from the date of this Entry.

SO ORDERED.

Date: 6/28/2016



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Distribution:

Hannesson Ignatius Murphy
BARNES & THORNBURG LLP
hmurphy@btlaw.com