

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

COLBY BIRT and  
BRITTANY BIRT,

Plaintiffs,

v.

DALE HALL and  
THE MARTIN-BROWER COMPANY, LLC,

Defendants.

No. 1:16-cv-02002-TWP-DML

**ORDER**

This cause having come before the Court on Defendants, DALE HALL and THE MARTIN-BROWER COMPANY, L.L.C.’s Motion to Be Released from Obligation to Identify Individual Names of Nonparties or, In The Alternative, for Remand ([Filing No. 14](#)), and the Court being duly advised in the premises **grants in part and denies in part** the Motion:

Federal courts are courts of limited jurisdiction, and in order to determine whether diversity jurisdiction exists, “an LLC’s jurisdictional statement must identify the citizenship of each of its members as of the date the complaint or notice of removal was filed, and, if those members have members, the citizenship of those members as well,” because “[f]or diversity jurisdiction purposes, the citizenship of an LLC is the citizenship of each of its members.” *Thomas v. Guardsmark, LLC*, 487 F.3d 531, 534 (7th Cir. 2007).

Furthermore, “[n]o court may decide a case without subject-matter jurisdiction, and neither the parties nor their lawyers may stipulate to jurisdiction or waive arguments that the court lacks jurisdiction. If the parties neglect the subject, a court must raise jurisdictional questions itself.” *United States v. County of Cook*, 167 F.3d 381, 387 (7th Cir. 1999).

Based on a desire to protect privacy interests of individual members of the nine LLC members, the Defendants requested remand rather than disclosing the identity and citizenship of the nine LLCs' members. Without these jurisdictional allegations, the Court is unable to determine whether it has jurisdiction over this case. The Defendants' motion to be released from the obligation to identify the individual members of the nine LLC entities, is thus **DENIED**.

The Defendants' alternative motion for remand to the state court of origin is **GRANTED**.

Accordingly, the Court **REMANDS** this case to the state court of origin.

The Clerk is **DIRECTED** to the remand this action to Decatur County Circuit Court, Indiana, cause no. 16C01-1605-CT-216. This action is hereby **CLOSED**.

**SO ORDERED.**

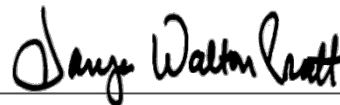
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TANYA WALTON PRATT, JUDGE  
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Southern District of Indiana

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