

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

TECHNICAL YOUTH, LLC)	
d/b/a EIGHT ELEVEN,)	
)	
Plaintiff,)	
)	
v.)	
)	No. 1:18-cv-00874-TWP-TAB
KYLE LEPI, ROBERT MOYER, and)	
AGILITY PARTNERS, LLC,)	
)	
Defendants.)	

SECOND ENTRY ON JURISDICTION

On March 27, 2018, the Court ordered the Defendants to file a supplemental jurisdictional statement, identifying the citizenship of each of the parties and the specific identity of the LLC parties’ members and those members’ citizenship ([Filing No. 9](#)).

On March 29, 2018, the Defendants filed their Supplemental Jurisdictional Statement ([Filing No. 13](#)). However, the Statement did not identify the members of Plaintiff Technical Youth, LLC, and those members’ citizenship. Additionally, the Defendants’ Statement failed to allege the citizenship of Defendants Kyle Lepi and Robert Moyer as well as the citizenship of the members of Defendant Agility Partners, LLC—namely, Adam Kutasy and Robert Moyer. Rather, the Defendants’ Statement notes the residency of individual parties. The Court reiterates that **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”).

Based upon the Defendants’ Supplemental Jurisdictional Statement, the Court still is unable to determine whether diversity jurisdiction exists. Therefore, the Defendants are

ORDERED to file a second supplemental jurisdictional statement that establishes the Court's jurisdiction over this case. The jurisdictional statement should specifically identify the members of Plaintiff Technical Youth, LLC and those members' citizenship as well as the citizenship of all the individual parties. This Supplemental Jurisdictional Statement is due **April 16, 2018**. Failure to cure the jurisdictional deficiencies may result in dismissal of this action for lack of jurisdiction.

SO ORDERED.

Date: 4/10/2018



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

Distribution:

Sara Hutchins Jodka
DICKINSON WRIGHT PLLC
sjodka@dickinsonwright.com

Mark Robert Molter
BINGHAM GREENEBAUM DOLL LLP
mmolter@bgdlegal.com

Gregory A. Neibarger
BINGHAM GREENEBAUM DOLL LLP
gneibarger@bgdlegal.com