

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

BRIGHTVIEW LANDSCAPES, LLC,)	
)	
Plaintiff,)	
)	
v.)	No. 1:21-cv-00371-JPH-DLP
)	
CRAIG HOYING,)	
LANDCARE USA L.L.C.,)	
)	
Defendants.)	

ORDER ON JURISDICTION

Plaintiff, Brightview Landscapes, LLC, has filed a complaint alleging federal-question jurisdiction over a Defend Trade Secrets Act claim, *see* 18 U.S.C. § 1836, and diversity jurisdiction over the entire matter. Dkt. 1 at 4. For the Court to have diversity jurisdiction, the amount in controversy must exceed \$75,000, exclusive of interest and costs, and the litigation must be between citizens of different states. 28 U.S.C. § 1332(a). For 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). For LLCs, parties must "work back through the ownership structure until [reaching] either individual human beings or a formal corporation with a state of incorporation and a state of principal place of business." *Baez-Sanchez v. Sessions*, 862 F.3d 638, 641 (7th Cir. 2017); *Thomas*, 487 F.3d at 534.


Here, the complaint identifies defendant Landcare USA L.L.C. as an LLC, but does not identify its members or the citizenship of those members. Dkt. 1

at 4. Counsel has an obligation to analyze subject-matter jurisdiction, *Heinen v. Northrop Grumman Corp.*, 671 F.3d 669, 670 (7th Cir. 2012), and a federal court always has the responsibility to ensure that it has jurisdiction, *Hukic v. Aurora Loan Servs.*, 588 F.3d 420, 427 (7th Cir. 2009). The Court's obligation includes knowing the details of the underlying jurisdictional allegations. See *Evergreen Square of Cudahy v. Wis. Hous. and Econ. Dev. Auth.*, 776 F.3d 463, 465 (7th Cir. 2015) ("the parties' united front is irrelevant since the parties cannot confer subject-matter jurisdiction by agreement . . . and federal courts are obligated to inquire into the existence of jurisdiction *sua sponte*").

Therefore, the Court **ORDERS** Brightview Landscapes to file a jurisdictional statement by **March 5, 2021**, addressing the issue identified in this order.

SO ORDERED.

Date: 2/18/2021


James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

John A. Drake
OGLETREE DEAKINS NASH SMOAK & STEWART, P.C. (Indianapolis)
john.drake@ogletreedeakins.com

Todd J. Kaiser

OGLETREE DEAKINS NASH SMOAK & STEWART, P.C. (Indianapolis)

todd.kaiser@odnss.com

Jeffrey Wayne Parker, Jr.

OGLETREE DEAKINS NASH SMOAK & STEWART, P.C. (Indianapolis)

jeffrey.parker@ogletree.com