

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION**

HARLEN LOWE,

Plaintiff,

v.

CAESARS RIVERBOAT CASINO, LLC, and
SCHINDLER ELEVATOR CORPORATION,

Defendants.

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No. 4:15-cv-00149-TWP-WGH

SECOND ENTRY ON JURISDICTION

On October 28, 2015, the Court ordered the Plaintiff to file a supplemental jurisdictional statement, identifying the citizenship of Plaintiff Harlen Lowe, the state in which Defendant Schindler Elevator Corporation has its principal place of business, and the members of Defendant Caesars Riverboat Casino, LLC with the citizenship of each of the members of the LLC so that the Court may determine whether it has subject matter jurisdiction over this case ([Filing No. 7](#)).

On October 28, 2015, the Plaintiff filed his supplemental jurisdictional statement ([Filing No. 8](#)). However, the jurisdictional statement is deficient in that the statement of citizenship for the individual members of Defendant Caesars Riverboat Casino, LLC is based “on information and belief.” ([Filing No. 8 at 1](#), ¶2.) Such a statement is insufficient to allege citizenship. Jurisdictional allegations must be made upon personal knowledge, not on information and belief, to invoke the subject matter jurisdiction of the 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;” a statement made “to the best of my knowledge and belief” is insufficient” to establish diversity jurisdiction); *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 insufficient).

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 identify the citizenship of the individual members of Defendant Caesars Riverboat Casino, LLC based upon personal knowledge. The statement is due **14 days** from the date of this Entry.

SO ORDERED.

Date: 11/2/2015



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

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