

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

TEXAS CONTRACT CARPET, INC.

CIVIL ACTION

VERSUS

NUMBER 10-186-RET-DLD

EHELON CONSTRUCTION SERVICES, LLC;  
PERKINS ROWE ASSOCIATES, LLC;  
PERKINS ROWE ASSOCIATES, II, LLC;  
JOSEPH T. SPINOSA; TRAVELERS  
PROPERTY AND CASUALTY CO. OF  
AMERICA, INC.; AND XYZ INSURANCE  
COMPANY

ORDER

The court *sua sponte* notes the potential insufficiency of the allegations of the citizenship of defendants, **Echelon Construction Services, LLC, Perkins Rowe Associates, LLC and Perkins Rowe Associates, II, LLC**, in support of diversity jurisdiction. The citizenship of a limited liability company for diversity purposes is determined by the citizenship of its members. See [Harvey v. Grey Wolf Drilling Co., 542 F.3d 1077, 1080 \(5<sup>th</sup> Cir. 2008\)](#). The citizenship of **Echelon Construction Services, LLC, Perkins Rowe Associates, LLC and Perkins Rowe Associates, II, LLC** has not been properly provided. The complaint states that these defendants are limited liability companies, duly organized and existing under the laws of Louisiana with their principal place of business in East Baton Rouge Parish, Louisiana. These defendants admit in their answer to the complaint that they are Louisiana limited liability companies, and that Joseph T. Spinosa is one of the individual parties involved in Perkins Rowe and Echelon. (rec. doc. 8). Further, defendants state in the corporate disclosure statement (rec. doc. 16) that these Louisiana limited liability companies are privately owned by individuals, with no parent

corporations or any publically trade corporations as a shareholder of 10% or more of their stock.” However, defendants have failed to name these individuals and/or corporate entities. This is insufficient.

Accordingly,

**IT IS ORDERED** that the defendants, Echelon Construction Services, LLC, Perkins Rowe Associates, LLC and Perkins Rowe Associates, II, LLC, shall file a “notice of citizenship” properly naming all members of the limited liability companies, and alleging each member's citizenship by **January 31, 2011**.

Signed in Baton Rouge, Louisiana, on January 12, 2011.



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**MAGISTRATE JUDGE DOCIA L. DALBY**