

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

DAVID STUDLEY

CIVIL ACTION

VERSUS

NO. 16-380-JJB-RLB

KIMBERLY HEAD, ET AL.

ORDER

Before the Court is the Amended Notice of Removal (R. Doc. 15) filed on September 16, 2016, in response to the Court’s Order requiring the removing defendants to properly identify the citizenship of defendants Aon Risk Services, Inc. (“Aon”), Ace American Insurance (“Ace”), Liberty Mutual Group, Inc. (“Liberty”), and intervenor Beckman Coulter, Inc. (“Beckman”).

The Amended Notice of Removal corrects the deficiencies regarding the citizenship of Beckman, as it identifies the state of incorporation and principal place of business for that entity. The Amended Notice of Removal remains insufficient, however, as it fails to properly identify the citizenship of Aon, Ace, and Liberty.

With regard to Aon, the removing defendants provide its principal place of business (Illinois), but fail to identify a state of incorporation. Instead, the removing defendants identify three “domicile addresses.”

With regard to Ace, the removing defendants provide its state of incorporation (Pennsylvania), but fail to identify a principal place of business. Instead, the removing defendants identify a “domicile address.”

Finally, with regard to Liberty, the removing defendants provide information for “Liberty Mutual Insurance Company” without identifying whether that entity is the same as defendant “Liberty Mutual Group, Inc.” Furthermore, the removing defendants provide a place of

incorporation (Massachusetts), but fail to identify a principal place of business. Instead, the removing defendants identify the entity’s “domicile” address.

Based on the foregoing, the removing defendants have not sufficiently alleged the citizenship of the corporate parties Aon, Ace, and Liberty. The citizenship of a corporation is determined by its state of incorporation and principal place of business. *See* 28 U.S.C. § 1332(c)(1); *Illinois Central Gulf Railroad Co. v. Pargas, Inc.*, 706 F.2d 633, 637 (5th Cir. 1983). A corporation’s principal place of business is its “nerve center,” meaning “the place where a corporation’s officers direct, control, and coordinate the corporation’s activities.” *Hertz Corp. v. Friend*, 559 U.S. 77, 92 (2010). Rather than name “domicile” addresses, the removing defendants must identify the state of incorporation or principal place of business as appropriate.

IT IS ORDERED, pursuant to 28 U.S.C. § 1653, that on or before **September 28, 2016**, the removing defendants shall file an amended notice of removal providing the citizenship of defendants **Aon Risk Services, Inc., Liberty Mutual Group, Inc., and Ace American Insurance Company** by setting forth all citizenship particulars required to sustain federal diversity jurisdiction.

Signed in Baton Rouge, Louisiana, on September 19, 2016.



RICHARD L. BOURGEOIS, JR.
UNITED STATES MAGISTRATE JUDGE