

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

YONKER PROPERTIES, LLC

CIVIL ACTION NO. 15-cv-1794

VERSUS

JUDGE FOOTE

NATIONAL OILWELL VARCO, LP

MAGISTRATE JUDGE HORNSBY

MEMORANDUM ORDER

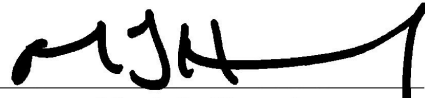
Yonker Properties, LLC (“Yonker”) filed this action in state court against National Oilwell Varco, LP (“NOV”). NOV removed the case based on an assertion of diversity jurisdiction, so NOV bears the burden of setting forth the facts to establish the requisite amount in controversy and that there is complete diversity of citizenship. The current notice of removal does not satisfy that burden.

The notice of removal does not set forth sufficient facts to determine the citizenship of Yonker or NOV under the rules that apply to LLCs, partnerships, and other unincorporated entities. Those rules can be found in cases such as Adams v. Wal-Mart Stores, Inc., 2014 WL 2949404 (W. D. La. 2014) and Burford v. Stateline Gathering System, LLC, 2009 WL 2487988 (W. D. La. 2009). NOV will be allowed until **June 22, 2015** to file an amended notice of removal and set forth with specificity the citizenship of the parties.

The court understands that NOV may not possess the necessary information to allege the membership/citizenship of Yonker. Counsel for Yonker is directed to promptly provide that information to NOV so that the preliminary issue of subject-matter jurisdiction may be

determined promptly and efficiently. If necessary, NOV may request an extension of the deadline and seek leave to conduct discovery on the issue of Yonker's citizenship.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 2nd day of June, 2015.



Mark L. Hornsby
U.S. Magistrate Judge