

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

WILLIAM HARROW,

Plaintiff,

v.

Case Number 08-14935-BC
Honorable Thomas L. Ludington

SCHILLER STORES, INC., d/b/a, Le
Cruiset Factory Outlet,

Defendant.

**ORDER DIRECTING DEFENDANT TO IDENTIFY ITS PRINCIPAL
PLACE OF BUSINESS**

On November 25, 2008, Plaintiff filed a complaint, alleging claims of age and gender discrimination under the Michigan Elliot-Larsen Civil Rights Act (“ELCRA”), Mich. Comp. Laws § 37.2101, et seq., and a claim for breach of policy under state law. Plaintiff asserts that this Court has diversity jurisdiction under 28 U.S.C. § 1332, because Plaintiff is a Michigan citizen, Defendant is a corporation incorporated in Delaware with its principal place of business in Delaware, *see id.* § 1332(c)(1), and the amount in controversy exceeds \$75,000. *Id.* § 1332(a).

In its answer to the complaint, filed January 12, 2009, Defendant appears to deny that its principal place of business is in Delaware. However, Defendant does not indicate where its principal place of business is located. For diversity jurisdiction to exist in this case, Plaintiff and Defendant must be citizens of different states. *Id.* § 1332(a)(1). Defendant, as a corporation, is “a citizen of any State by which it has been incorporated and of the State where it has its principal place of business.” *Id.* § 1332(c)(1). Because “federal courts have an independent obligation to investigate and police the boundaries of their own jurisdiction,” *Douglas v. E.G. Baldwin & Assocs., Inc.*, 150

F.3d 604, 607 (6th Cir. 1998), the Court will direct Defendant to identify its principal place of business.

Accordingly, its is **ORDERED** that Defendant is **DIRECTED** to identify, in writing, its principal place of business on or before **January 22, 2009**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: January 14, 2009

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 14, 2009.

s/Tracy A. Jacobs
TRACY A. JACOBS