

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

MCCAFFERTY REALTY, LLC, AND CITRUS  
GROUP ASSOCIATES, LLC, D/B/A LEMON  
BAY REALTY

Case No. 10-11964

Plaintiff,

v.

Honorable Arthur J. Tarnow

WINDHAM/MAGNOLIA LANDING, LLC;  
SHENGWEI-WINDHAM, LLC; AND HERBERT  
LAWSON

Defendant.

\_\_\_\_\_ /

**ORDER DISMISSING CASE**

Before the Court is Plaintiffs' response [4] to the Court's show-cause order.

Plaintiffs' complaint alleges that Plaintiff McCafferty is a Florida limited liability company, Plaintiff Lemon Bay is a Florida limited liability company, Defendant Windham/Magnolia is a Michigan limited liability company, and Defendant Shengwei-Windham is a Michigan limited liability company.

In order to establish that federal jurisdiction on the basis of diversity of citizenship exists, this Court previously ordered Plaintiffs to allege the citizenship *of the members* of all limited liability companies that are parties. *See Delay v. Rosenthal Collins Group, L.L.C.*, 585 F.3d 1003, 1005 (6th Cir. 2009) (Plaintiff, an Ohio citizen, brought complaint alleging that Defendant was an Illinois limited liability company; Court ordered Plaintiff to "submit a jurisdictional statement identifying the citizenship of all" members of the limited liability company, as complete diversity "would be destroyed" if even one member of Defendant was an Ohio citizen). Plaintiffs' response fails to do so. Instead, it simply reiterates the above information that was already stated in their complaint. This Court is therefore unable to conclude at this time that

federal jurisdiction on the basis of diversity of citizenship lies.

Accordingly, the complaint is hereby **DISMISSED WITHOUT PREJUDICE** to Plaintiffs re-filing it within thirty days, properly alleging the citizenship of all parties.

**SO ORDERED.**

S/Arthur J. Tarnow  
Arthur J. Tarnow  
United States District Judge

Dated: June 7, 2010

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 7, 2010, by electronic and/or ordinary mail.

S/Catherine A. Pickles  
Judicial Secretary