



controversy exceeds the sum of \$75,000. Plaintiff named four defendants, including one defendant identified as an L.L.C.. The Complaint alleges that Sanofi-Aventis U.S., L.L.C. is a subsidiary of the French pharmaceutical company Sanofi-Aventis and that the “American base for Sanofi-Aventis is 400 Somerset Corporate Boulevard, SC4-310A, Bridgewater, New Jersey 08807-0912.” (#1 at ¶ 5.) These allegations are insufficient for the Court to determine whether it has diversity jurisdiction over this matter.

The defendant LLC’s citizenship has not been addressed explicitly; however, the Eighth Circuit has held that unincorporated entities such as LLCs are citizens of every state of which any member is a citizen. *See GMAC Commercial Credit, LLC v. Dillard Dep’t Stores, Inc.*, 357 F.3d 827, 829 (8th Cir. 2004). Thus, for the LLC defendant, the Court must examine the citizenship of each member of that company to determine whether diversity jurisdiction exists. The Complaint contains no allegations concerning the members of the defendant LLC.<sup>2</sup>

The Court will grant plaintiff 14 days to file an amended complaint which alleges facts showing the existence of the requisite diversity of citizenship of the parties. If plaintiff fails to timely and fully comply with this Order, the Court will dismiss this matter without prejudice for lack of subject matter jurisdiction.

Accordingly,

**IT IS HEREBY ORDERED** that, by September 12, 2013, plaintiff shall file an amended complaint which shall allege facts establishing the citizenship of each of the defendant LLC’s members.

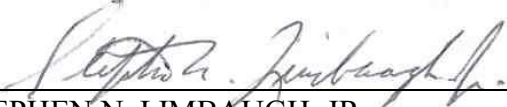
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<sup>2</sup>The Complaint states that the LLC is a “subsidiary” for the Sanofi-Aventis, but that is not enough information from which the Court may confidently glean citizenship for an LLC.

**IT IS FURTHER ORDERED** that if plaintiff does not timely and fully comply with this order, this matter will be dismissed for lack of subject matter jurisdiction.

**IT IS FURTHER ORDERED** that all other proceedings in this case are **STAYED** pending further order of this Court.

Dated this 29th day of August, 2013.

  
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STEPHEN N. LIMBAUGH, JR.  
UNITED STATES DISTRICT JUDGE