

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNDERWRITERS AT LLOYDS SUBSCRIBING
TO COVERNOTE MC-2315,

Plaintiff,

- against -

SECURITAS SECURITY SERVICES USA,
INC., ET AL.,

Defendants.

10 Civ. 2584 (JGK)

MEMORANDUM OPINION AND
ORDER

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>3/25/10</u>

JOHN G. KOELTL, District Judge:

The Court has received Securitas Security Services USA, Inc.'s ("Securitas USA") notice of removal. The parties are directed to notify the Court by **April 1, 2010** whether there is complete diversity in this action.


Securitas USA has alleged that it is a corporation incorporated under the laws of Delaware with its principal place of business in New Jersey. The complaint alleges that both defendant Grupo Securitas Mexico, S.A. de C.V. and the plaintiff Underwriters at Lloyds Subscribing to Covernote MC-2315 are foreign corporations. The parties should address whether there is an alien plaintiff, a citizen defendant, and an alien defendant. See CP Solutions PTE, Ltd. v. Gen. Elec. Co., 553 F.3d 156, 158 (2d Cir. 2009) ("Diversity jurisdiction does not exist . . . where on one side there are citizens [of a State]

and aliens and on the opposite side there are only aliens.")
(internal quotation marks omitted).

The parties should likewise address the citizenship of the plaintiff. See E.R. Squibb & Sons, Inc. v. Accident & Cas. Ins. Co., 160 F.3d 925, 939 (2d Cir. 1998) (complete diversity depends on citizenship of each and every Name underwriter when Lloyd's lead underwriter sued in representative capacity rather than individual capacity).

SO ORDERED.

Dated: New York, New York
March 24, 2010



John G. Koeltl
United States District Judge