

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
KIM WILLIAMS & LARRY WILLIAMS

Plaintiffs,

-against-

EBONY D. HARRIS, ODAI M AL HAJEH, CB
LIVERY LEASIN, LLC, VANESSA SOTO, &
GLEN CONTRERAS

Defendants.

ANALISA TORRES, District Judge:

Plaintiffs originally brought this action against Defendants Ebony D. Harris, Odai M Al Hajeh, CB Livery Leasin, LLC, Vanessa Soto, and Glen Contreras, invoking subject matter jurisdiction by reason of diversity of citizenship, 28 U.S.C. § 1332(a)(1). Compl. ¶ 8, ECF No. 9. On September 3, 2021, the Court issued an order directing Plaintiffs to amend their pleading to allege the citizenship of each constituent person or entity of Defendant Livery Leasin, LLC, as a limited liability company. ECF No. 15. Plaintiffs subsequently filed an amended complaint against the same parties and again invoking diversity jurisdiction, alleging that “[a]ll known members of [Livery Leasin LLC] are residents, domiciliaries and citizens of the States of New York, New Jersey, and Texas.” Am. Compl. ¶¶ 3–11, ECF No. 16. Plaintiffs then allege that “to the extent 1415 Cromwell LLC is a member of [Livery Leasin LLC],” its members are residents, domiciliaries, and citizens of New York, New Jersey, and Texas. *Id.* However, Plaintiffs again fail to allege the citizenship of each constituent person or entity of 1415 Cromwell LLC, and therefore, the Court cannot ascertain whether it has subject-matter jurisdiction through diversity of citizenship over this matter.

Accordingly, by **September 15, 2021**, Plaintiff shall amend its pleading to allege the citizenship of each constituent person or entity. *See Handelman v. Bedford Vill. Assocs. Ltd. P'ship*, 213 F.3d 48, 51-52 (2d Cir. 2000) (citing *Cosgrove v. Bartolotta*, 150 F.3d 729, 731 (7th Cir. 1998)); *Strother v. Harte*, 171 F. Supp. 2d 203, 205 (S.D.N.Y. 2001) (“For purposes of diversity jurisdiction, a limited liability company has the citizenship of each of its members.”). If Plaintiff fails to amend by the foregoing date to truthfully allege complete diversity based upon the citizenship of each constituent person or entity of the LLC, then the complaint will be dismissed for lack of subject matter jurisdiction.

SO ORDERED.

Dated: September 8, 2021
New York, New York

USDC SDNY
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21 Civ. 7370 (AT)

ORDER


ANALISA TORRES
United States District Judge