

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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: : 25cv204 (DLC)  
MIWOWI, LLC, : :  
: : ORDER  
: Plaintiff, :  
-v- : :  
: :  
GEORGE E. WITTICH, et al., : :  
: :  
: Defendants. : :  
: :  
----- X

DENISE COTE, District Judge:

On January 9, 2025, this action was removed from the Supreme Court of the State of New York on the purported basis that there exists diversity of citizenship between the parties. According to the Notice of Removal, defendant SWM Offshore Limited is a corporation organized under the laws of Gibraltar with a principal place of business in New Jersey. "For diversity purposes, a corporation is deemed to be a citizen both of the state in which it has its principal place of business and of any state in which it is incorporated." Universal Licensing Corp. v. Paola del Lungo S.p.A., 293 F.3d 579, 581 (2d Cir. 2002). According to the Notice of Removal, the plaintiff is a limited liability whose sole member is a corporation organized under the laws of the Turks and Caicos Islands. The complaint does not specify the membership of the plaintiff. For purposes of diversity of citizenship, a limited liability company takes on the citizenship of its members. Platinum-Montaur Life Scis.,

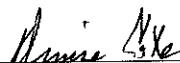
LLC v. Navidea Biopharmaceuticals, Inc., 943 F.3d 613, 615 (2d Cir. 2019).

"A district court may not assume subject-matter jurisdiction when the record does not contain the necessary prerequisites for its existence." Id. at 618. And "diversity is lacking . . . where on one side there are citizens and aliens and on the opposite side there are only aliens." Universal Licensing Corp., 293 F.3d at 5781.

An initial pretrial conference in this action is scheduled for **March 13, 2025 at 3:30 p.m.** Accordingly, it is hereby

ORDERED that the parties shall come to the March 13 conference prepared to discuss the basis for subject matter jurisdiction in this case, including the citizenship of all parties.

Dated: New York, New York  
March 12, 2025

  
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DENISE COTE  
United States District Judge