

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

**MALTA TEXO DE MEXICO, S.A. DE
C.V.,**

Plaintiff,

v.

**COOPERATIVE BUSINESS
INTERNATIONAL, INC.,
Defendant.**

Case No.: 2:09-cv-55

**JUDGE GREGORY L. FROST
Magistrate Judge Mark R. Abel**

OPINION AND ORDER

This matter is before the Court for consideration of Defendant's Motion to Dismiss Plaintiff's Complaint for Lack of Personal Jurisdiction (FRCP 12(b)(2)) (Doc. # 17) and Plaintiff's Brief in Opposition to Defendant's Motion to Dismiss Plaintiff's Complaint for Lack of Personal Jurisdiction (Doc. # 20). For the following reasons, the Court **DENIES** Defendant's motion to dismiss.

Defendant, in its motion, argued that the Court has no basis for personal jurisdiction over Defendant based upon Ohio's alter ego doctrine, which allows a party to bring a claim against a parent company when wronged by a subsidiary only if certain circumstances are met. *See Estate of Thompson v. Toyota Motor Company Worldwide*, 545 F.3d 357 (6th Cir. 2008); *Crichlow v. Warner MusicGroup Corp.* 290 F. Supp.2d 34 (D.C. Cir. 2008). This doctrine can be used to impute personal jurisdiction over a defendant "that *would not ordinarily be subject to personal jurisdiction in that court* when the individual or corporation is an alter ego . . . of a corporation that would be subject to personal jurisdiction in that court." *Patin v. Thoroughbred Power Boats Inc.*, 294 F.3d 640, 653 (5th Cir.2002) (emphasis added). Plaintiff argued that this doctrine is inapplicable to the instant action because Defendant resides in the state of Ohio.

