

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

NEW PAGE CORPORATION, et al.,

Plaintiffs,

Case No. 3:14-cv-386

Judge Thomas M. Rose

-v-

**MAYFIELD CREEK FORESTRY
CONSULTANTS LLC,**

Defendant.

**ORDER REQUIRING DEFENDANT MAYFIELD CREEK FORESTRY
CONSULTANTS LLC TO INFORM THE COURT NOT LATER THAN
DECEMBER 10, 2014, OF THE NAME AND CITIZENSHIP OF EACH
MEMBER**

The Complaint filed in this matter identifies Defendant Mayfield Creek Forestry Consultants LLC as a limited liability company. This case was removed to this Court by Mayfield Creek Forestry Consultants LLC based upon this Court having subject matter jurisdiction due to diversity of citizenship. However, this Court is unable to determine if it has the power to adjudicate this matter.

For diversity of citizenship to exist, the Plaintiffs' citizenships must be diverse from the Defendant LLC's citizenship. Further, "[t]he general rule is that all unincorporated entities - of which a limited liability company is one - have the citizenship of each partner or member." *Delay v. Rosenthal Collins Group, LLC*, 585 F.3d 1003, 1005 (6th Cir. 2009). Thus, without confirming the citizenship of each member of Defendant Mayfield Creek Forestry Consultants LLC, the Court cannot confirm that diversity of citizenship exists and that it has subject matter jurisdiction to proceed. Therefore, Defendant Mayfield Creek Forestry Consultants LLC is given

until not later than December 10, 2014, to inform the Court of the name and citizenship of each member.

DONE and ORDERED in Dayton, Ohio this Tenth Day of November, 2014.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record