

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

United States District Court
Southern District of Texas

ENTERED

March 29, 2022

Nathan Ochsner, Clerk

James George,

Plaintiff,

versus

SI Group, Inc., et al.,

Defendants.

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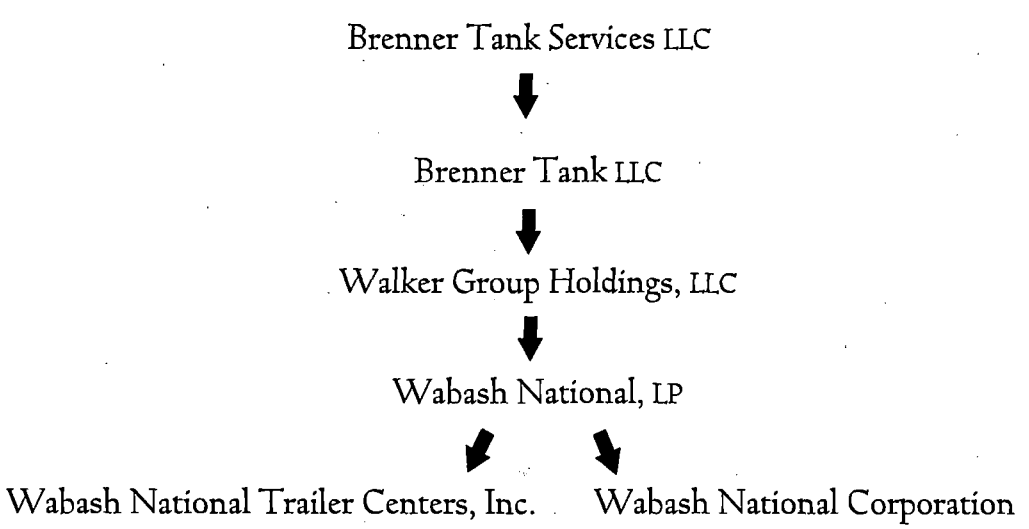
Civil Action G-16-360

Opinion on Remand

The Court of Appeal’s November 2, 2021, opinion, asks this Court to decide whether James George and the defendants are diverse. It is undisputed that George is Texas citizen. The citizenship of Walker Group Holdings LLC, and Brenner Tank Services, LLC, are disputed.

Diversity of citizenship is necessary for a court to have subject matter jurisdiction. The citizenship of a limited liability corporation is based on the citizenship of all its members.¹

The relationship between Walker Group and Brenner Tank Services is illustrated below.



¹ *Harvey v. Grey Wolf Drilling Co.*, 542 F.3d 1077, 1080 (5th Cir. 2008)

A. Walker Group Holdings, LLC.

According to a document filed with the Texas Secretary of State, Walker Group Holdings has one member, Wabash National, LP. Like an LLC, an LP's citizenship is based on the citizenship of the members. Wabash National has two members: (a) Wabash National Trailer Centers, Inc., and (b) Wabash National Corporation.

A document filed with the Texas Secretary of State says that Wabash National Trailer Centers, Inc., is a Delaware corporation with its principal business in Indiana. Similarly, a form filed with the U.S. Securities and Exchange Commission says that Wabash National Corporation is a Delaware Corporation with its principal business in Indiana.

Walker Group Holdings, which is comprised of Wabash National, Wabash National Centers, Inc., and Wabash National Corporation, is diverse from James George.

B. Brenner Tank Services, LLC.

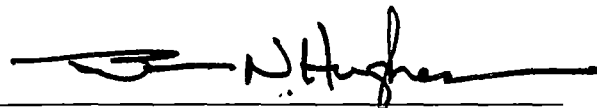
According to a Texas franchise tax public information report, Brenner Tank Services has one member, Brenner Tank, LLC. Brenner Tank, LLC, has one member, Walker Group Holdings.

Because Walker Group Holdings is a citizen of Delaware and Indiana, Brenner Tanker Services is also a citizen of Delaware and Indiana.

C. Conclusion.

James George is citizen of Texas. Walker Group Holdings, LLC, and Brenner Tank Services, LLC., are a citizen of Delaware and Indiana. The defendants are diverse from the plaintiff.

Signed March 29, 2022, at Houston, Texas.



Lynn N. Hughes
United States District Judge