
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

WRIGHT TIMBERFRAME, LLC,
Plaintiff,

vs.

AUTO-OWNERS INSURANCE CO.,
Defendant.

**MEMORANDUM DECISION
AND ORDER**

Case No. 2:16-cv-1030 CW

Judge Clark Waddoups

Plaintiff Wright Timberframe, LLC filed this action on October 4, 2016. It asserts this court has jurisdiction based on diversity of citizenship. “[F]or entities other than corporations,” the court’s “diversity jurisdiction in a suit by or against [an] entity depends on the citizenship of . . . each of its members.” *Penteco Corp. Ltd. Partnership-1985A v. Union Gas Sys., Inc.*, 929 F.2d 1519, 1523 (10th Cir. 1991). Moreover, “where an LLC has, as one of its members, another LLC, the citizenship of unincorporated associations must be traced through however many layers of partners or members there may be to determine the citizenship of the LLC.” *Lincoln Benefit Life Co. v. AEI Life, LLC*, 800 F.3d 99, 105 n.16 (3d Cir. 2015) (quotations and citation omitted); *see also D.B. Zwirn Special Opportunities Fund, L.P. v. Mehrotra*, 661 F.3d 124, 126 (1st Cir. 2011); *V&M Star, LP v. Centimark Corp.*, 596 F.3d 354, 356 (6th Cir. 2010); *Hart v. Terminex Int’l*, 336 F.3d 541, 543 (7th Cir. 2003).

Wright Timberframe, LLC has not pled the citizenship of each of its members. Until it

does so, the court cannot conclude that it has jurisdiction. Accordingly, **on or before December 16, 2016**, Plaintiff shall plead the citizenship of each of its members to show diversity. Otherwise this case will be dismissed for lack of jurisdiction.

SO ORDERED this 2nd day of December, 2016.

BY THE COURT:



Clark Waddoups
United States District Judge