UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN

THE ESTATE OF GERALDINE H. BORCHARDT, by and through her personal representative, LENORA M. BRUSKI, Plaintiff,

v.

Case No. 13-C-0293

BMO HARRIS BANK, N.A., as successor by merger to M&I MARSHALL & ILSLEY BANK,

Defendant.

ORDER

Defendant has filed a notice of removal and asserts that federal subject matter jurisdiction exists under 28 U.S.C. § 1332. The plaintiff is the personal representative of an estate of a decedent and is therefore deemed a citizen of the same state as the decedent. 28 U.S.C. § 1332(c)(2). The notice of removal alleges that the decedent was a "resident" of Wisconsin. (Notice of Removal ¶ 5.) However, residence and citizenship are not synonyms, and it is the latter that matters for purposes of diversity jurisdiction. <u>See, e.g., Meyerson v. Harrah's East Chicago Casino</u>, 299 F.3d 616, 617 (7th Cir. 2002). **THEREFORE, IT IS ORDERED** that, within ten days of the date of this order, the defendant must provide me with information regarding the <u>citizenship</u> of the decedent so that I may ensure that I have jurisdiction over this matter.

Dated at Milwaukee, Wisconsin, this 22nd day of March, 2013.

<u>s/ Lynn Adelman</u> LYNN ADELMAN District Judge