

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**FRANKLIN CRAIG and GERRY CRAIG,
husband and wife; JEROME JANUSZ and
SHARON JANUSZ, husband and wife; and
PATRICE JARDANOWSKI, a single person,**

Plaintiffs,

-vs-

Case No. 15-C-294

PORTLAND ORTHOPAEDICS LIMITED, et al.,

Defendants.

DECISION AND ORDER

This is a diversity products liability action brought by Wisconsin citizens. The complaint alleges that one of the defendants, Orchid Orthopedic Solutions, is “a foreign limited liability company organized and existing pursuant to the laws of the State of Delaware, with its principal place of business in Holt, Michigan.” ¶ 11. However, the citizenship of a limited liability company (LLC) for diversity purposes is the citizenship of each of its members. *Bellville Catering Co. v. Champaign Mkt. Place, LLC*, 350 F.3d 691, 692 (7th Cir. 2003). Accordingly, the information contained in paragraph 11 does not establish that the parties in this action are completely diverse. 28 U.S.C. § 1332(a).

“[N]ot only may the federal courts police subject matter jurisdiction

sua sponte, they must.” *Hay v. Indiana State Bd. of Tax Comm’rs*, 312 F.3d 876, 879 (7th Cir. 2002). Pursuant to that duty, the plaintiffs are ordered to file an amended complaint that properly invokes the Court’s diversity jurisdiction within **thirty (30) days** of the date of this Order. If no amended complaint is filed, this matter will be dismissed for lack of subject matter jurisdiction.

Dated at Milwaukee, Wisconsin, this 19th day of March, 2015.

SO ORDERED:


HON. RUDOLPH T. RANDA
U.S. District Judge