

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

WOODY WAREHOUSE NURSERY, INC.,)
 Plaintiff,)
)
 vs.) 1:13-cv-1729-JMS-MJD
)
JOHN M. HODAPP, HORTICA INSURANCE &)
EMPLOYEE BENEFITS, AND FLORISTS')
MUTUAL INSURANCE COMPANY,)
 Defendants.)

ORDER

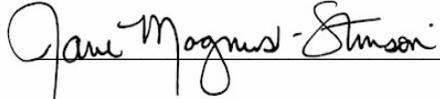
On October 28, 2013, Defendants removed this action to this Court. [Dkt. 1.] They did so alleging that this Court can exercise diversity jurisdiction under 28 U.S.C. § 1332. [*Id.*] The Court must independently determine whether proper diversity among the parties exists. *Thomas v. Guardsmark, LLC*, 487 F.3d 531, 533 (7th Cir. 2007). Having reviewed the docket, the Court cannot assure itself that it can exercise diversity jurisdiction over this matter.

Based on Defendants' allegations, it is unclear whether there is complete diversity of citizenship between the parties. In its Notice of Removal, Defendants allege that "Plaintiff is an Indiana corporation and is, therefore, a Citizen of the State of Indiana." [Dkt. 1 at 2 ¶ 6.] But a corporation has two places of citizenship: where it is incorporated and where it has its principal place of business. *Smoot v. Mazda Motors of Am., Inc.*, 469 F.3d 675, 676 (7th Cir. 2006), and Defendants must allege both in order to invoke the Court's jurisdiction. Because they did not, the Court cannot assure itself that it can exercise diversity jurisdiction over this matter.

Accordingly, the Court ORDERS the parties to file a joint jurisdictional statement by November 12, 2013, certifying that the parties are diverse. If the parties cannot agree on each party's citizenship, or any other jurisdictional requirement, they are ordered to file

competing jurisdictional statements by that date setting forth their positions. A compliant statement will relieve Plaintiffs of their obligations under Local Rule 81.1.

10/29/2013



Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

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