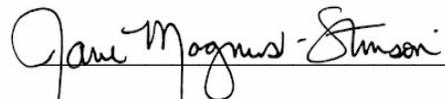


Second, PNC alleges that “[u]pon information and belief, [First Metal] is an Indiana corporation with a last known address of” [Dkt. 1 at 1 ¶ 2.] Jurisdictional allegations must be made on personal knowledge, not on information and belief, to invoke the subject matter jurisdiction of a federal court. *See America’s Best Inns, Inc. v. Best Inns of Abilene, L.P.*, 980 F.2d 1072, 1074 (7th Cir. 1992) (only a statement about jurisdiction “made on personal knowledge has any value” and a statement made “to the best of my knowledge and belief” is insufficient” to engage diversity jurisdiction “because it says nothing about citizenship”). Additionally, a corporation is deemed a citizen of any state where it is incorporated *and* a citizen of the state where it has its principal place of business. 28 U.S.C. § 1332(c)(1); *see also Smoot v. Mazda Motors of Am., Inc.*, 469 F.3d 675, 676 (7th Cir. 2006) (a corporation has two places of citizenship: where it is incorporated and where it has its principal place of business). In addition to the impropriety of pleading allegations “upon information and belief,” PNC’s allegation regarding First Metal’s “last known address” is insufficient to plead that corporation’s principal place of business.

For these reasons, the Court **ORDERS** PNC to file a First Amended Complaint by **December 16, 2013**, properly detailing a basis for this Court’s jurisdiction. First Metal need not respond to PNC’s initial complaint, [dkt. 1], and, unless otherwise directed by the Court, should respond to the forthcoming First Amended Complaint as set forth in the Federal Rules of Civil Procedure after it is served with that pleading.

12/03/2013



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

Distribution via ECF only:

Michael J. Menninger

WOOD & LAMPING, LLP
mjmenninger@woodlamping.com