

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

INSPIRED PHARMA SOLUTIONS, LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:17cv1621 SNLJ
)	
5MRX LLC, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

On June 29, 2017, this Court ordered the defendant to file a second amended notice of removal setting forth the members of each limited liability company party and the citizenship of each of those members. On July 21, 2017, defendants filed their amended notice, but defendants again stated that the “member(s)” of plaintiff Inspired Pharma Solutions, LLC are, “upon information and belief,” citizens of the state of Missouri. (#14 at ¶ 9.) That information is insufficient for the Court to examine the citizenship of each member of plaintiff. Furthermore, this Court is required to examine the parties for any potential conflicts of interest that the undersigned might possess. *See* 28 U.S.C. § 455.

Although defendants have adequately alleged that defendant 5mRx LLC is a citizen of Nevada, Ohio, Delaware, Florida, Illinois, Massachusetts, Maryland, and California, the defendant has not adequately alleged the citizenship of plaintiff Inspired Pharma Solutions, LLC.

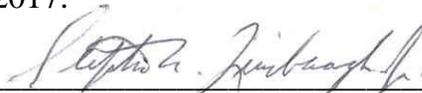
It is the defendants' burden in this case to establish subject matter jurisdiction. *In re Business Men's Assur. Co. of America*, 992 F.2d 181, 183 (8th Cir. 1993). The Court will grant defendant twenty-one (21) days to file a third amended petition which alleges facts showing the existence of the requisite diversity of citizenship of the parties. If defendants fail to timely and fully comply with this Order, the Court will dismiss this matter without prejudice for lack of subject matter jurisdiction.

Accordingly,

IT IS HEREBY ORDERED that, by August 11, 2017, defendants shall file an amended notice of removal in accordance with this memorandum, setting forth the members of each limited liability company party and the citizenship of each of those members.

IT IS FURTHER ORDERED that if defendants do not timely and fully comply with this order, this matter will be remanded for lack of subject matter jurisdiction.

Dated this 21st day of July, 2017.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE