



## JUDGE SAMUEL DER-YEGHIAVAN

219 S. Dearborn Street  
Chicago, IL 60604

Courtroom 1719  
Chambers 1778

Telephone: (312) 435-5675  
Web Site: <http://www.ilnd.uscourts.gov>

Courtroom Deputy - Michael Wing  
Room 1720  
(312) 408-5075

### **JOINT JURISDICTIONAL STATUS REPORT- REMOVAL**

#### **ORDER**

The “first duty in every case” in federal district court for a judge is to “independently” determine whether or not the court has subject matter jurisdiction. *Belleville Catering Co. v. Champaign Market Place, L.L.C.*, 350 F.3d 691, 692-94 (7<sup>th</sup> Cir. 2003)(criticizing judge for accepting jurisdictional allegations at “face value” and remanding case for dismissal for lack of jurisdiction after a jury trial was held by court). We order the parties to confer and file a Joint Jurisdictional Status Report. *If Plaintiff is intending to file a motion to remand this action based upon a lack of subject matter jurisdiction because there is not federal question jurisdiction or diversity jurisdiction the parties need not submit a report.*

The Joint Jurisdictional Status Report should be signed by counsel for all parties. The report should contain two sections. The first section should be entitled “I. Subject Matter Jurisdiction.” If the parties are seeking jurisdiction pursuant to federal question jurisdiction then the first section may be concise. However, for suits brought pursuant to diversity jurisdiction, the report should provide a detailed explanation of why this court has subject matter jurisdiction and attach supporting documentation to support allegations concerning topics such as a state of citizenship of each named plaintiff and defendant, state of incorporation, principal place of business, and amount in controversy. *In addition to the supporting documentation the parties should attach affidavits to*

support all the jurisdictional requirements. The parties should ensure that the jurisdictional allegations and supporting documentation references the time periods associated to each allegation. For example rather than stating that Mr. Smith is or was a citizen of Illinois, specify the time period that Mr. Smith was or has been a citizen of Illinois. Rather than stating that Smith Company's principal place of business is or was in Chicago, Illinois, state the time period that Smith Company's principal place of business was or has been in Illinois.

The second section of the report should contain a section entitled “II. Venue (Plaintiff's Position).” The section should be prepared solely by the Plaintiff and will be considered by the court to be representations made solely by Plaintiff and the representations will not be deemed to be admitted by Defendants. The section should include a detailed explanation of why venue is appropriate in this district and division and attach supporting affidavits. As with section one of the report, Plaintiffs should make sure that all allegations make reference to the pertinent time periods. This section is not intended to resolve the venue issue and Defendants are free to file a motion to transfer if they so desire. If the Joint Jurisdictional Status Report fails to address the relevant issues with the *required specificity* or fails to include sufficient *supporting documentation* the parties will be ordered to submit a new report.

---

Samuel Der-Yeghiayan  
United States District Court Judge