

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL C. McVEIGH,

Plaintiff,

v.

UNUMPROVIDENT CORPORATION
and PROVIDENT LIFE & ACCIDENT
INSURANCE COMPANY,

Defendant.

ORDER

01-C-0679-C

This is a civil action in which plaintiff Michael C. McVeigh is suing defendants UnumProvident Corporation and Provident Life & Accident Insurance Company for denying him disability benefits under the disability policy he purchased from them.

Although neither party disputes diversity, the court has an independent obligation to insure that it exists. See generally Wild v. Subscription Plus, Inc., 292 F.3d 526 (7th Cir. 2002). In this case, plaintiff alleges that he is a citizen of Beavercreek, Ohio. Defendant UnumProvident alleges that it is a Delaware corporation with “one” of its principal places of business in Portland, Maine, without offering an explanation of this contradictory statement. (“Principal” means *most* important, not merely important.) Defendant Provident

Life alleges merely that it is “domiciled” in Tennessee. This is helpful. For diversity purposes, the citizenship of a corporation is determined by the state in which it is incorporated or in which it has its principal place of business. See 28 U.S.C. § 1332(c). To establish that diversity jurisdiction exists, defendant Provident Life must advise the court both its state of incorporation and its principal place of business.

I will give defendants until August 6, 2002, to provide this court with (1) defendant UnumProvident’s principal place of business and (2) defendant Provident Life’s state of incorporation *and* its principal place of business.

ORDER

IT IS ORDERED that

Defendants UnumProvident Corporation and Provident Life & Accident Insurance Company may have until August 6, 2002, to provide this court with (1) UnumProvident Corporation’s principal place of business and (2) Provident Life & Accident Insurance Company’s state of incorporation *and* its principal place of business.

Entered this 30th day of July, 2002.

BY THE COURT:

BARBARA B. CRABB
District Judge