

SUPPLEMENTAL JURISDICTIONAL QUESTION

It appears that this Court may construe the plaintiffs-appellants' response to the Court's Jurisdictional Question as moving to amend the complaint to allege that defendant-appellee Deborah Wasserman Shultz was a citizen of Florida at the time of the filing of the complaint. But it still appears that the pleadings do not sufficiently allege either (1) the citizenship of each plaintiff and each defendant to show complete diversity of citizenship under 28 U.S.C. § 1332(a) or (2) the citizenship of at least one plaintiff and one defendant to show minimal diversity of citizenship under 28 U.S.C. § 1332(d).

As relevant law, please note that “[w]hen a plaintiff files suit in federal court, she must allege facts that, if true, show federal subject matter jurisdiction over her case exists.” *Travaglio v. Am. Express Co.*, 735 F.3d 1266, 1268 (11th Cir. 2013); *see also Morrison v. Allstate Indem. Co.*, 228 F.3d 1255, 1273 (11th Cir. 2000) (“It is the plaintiff’s burden both to allege with sufficient particularity the facts creating jurisdiction, in view of the nature of the right asserted, and, if appropriately challenged, or if inquiry be made by the court of its own motion, to support the allegation.” (quotation omitted)). A plaintiff invoking diversity jurisdiction under § 1332(a) must allege “the citizenship of each party, so that the court is satisfied that no plaintiff is a citizen of the same state as any defendant.” *Travaglio*, 735 F.3d at 1268. Similarly, a plaintiff invoking minimal diversity under § 1332(d) must allege the citizenship of at least one plaintiff and at least one defendant to show minimal diversity between those two parties. *See id.*; *Morrison*, 228 F.3d at 1273; *see also* 28 U.S.C. § 1332(d). Indeed, “if a complaint’s factual allegations do not assure the court it has subject matter jurisdiction, then the court is without power to do anything in the case.” *Travaglio*, 735 F.3d at 1269; *see also* Fed. R. Civ. P. 8(a)(1) (providing that a pleading must provide a short and plain statement of the court’s jurisdiction).

To the extent that the allegations may be inadequate, please address (1) whether the allegations should be amended on appeal, under 28 U.S.C. § 1653, to cure any jurisdictional deficiencies in the current pleadings; (2) alternatively, whether current record evidence adequately establishes the parties’ citizenships; or (3) whether the record should be supplemented with additional evidence to demonstrate the parties’ citizenships. *See* 28 U.S.C. § 1653; *Mallory & Evans Contractors & Eng’rs, LLC v. Tuskegee Univ.*, 663 F.3d 1304, 1304-05 (11th Cir. 2011) (inviting appellant to file a motion for leave to amend the complaint to correct deficient allegations of citizenship); *see also Travaglio*, 735 F.3d at 1269-70 (discussing when record evidence may be used to cure jurisdictional pleading defects and noting that unsworn statements in trial briefs are insufficient to establish a party’s citizenship). If applicable, the parties should submit any motions they consider necessary or appropriate to cure the deficiencies.