

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

ANGELA MCALLISTER,
Plaintiff,

No. 3:10cv1696 (SRU)

v.

SMITH BARNEY/CITIGROUP GLOBAL
MARKETS, INC.; CITIGROUP GLOBAL
MARKETS, INC.; and CITIGROUP, INC.,
Defendants.

ORDER OVERRULING OBJECTION TO REMOVAL

On October 26, 2010, the defendants removed this case from the Superior Court for the Judicial District of Fairfield at Bridgeport to federal court. The defendants alleged that the federal court had jurisdiction because of the parties' diversity. The plaintiff is a resident of Connecticut, and the defendants argue they are citizens of New York and Delaware.

Under 28 U.S.C. §§ 1332(a) and 1441, a civil action can be removed from state court to federal district court where the matter in controversy exceeds \$75,000, and the controversy is between citizens of different states.

The plaintiff challenges the removal on the grounds that there is not complete diversity, because the defendants are actually Connecticut citizens. Pl.'s Aff. Objecting Removal from State to Federal Jurisdiction ("Removal Objection") at 2 (doc. #10). The plaintiff appears to base her claim on the fact that the defendants have an office located in Connecticut, and it is that office that allegedly discriminated against her. *Id.*

For the purposes of diversity jurisdiction, "a corporation shall be deemed to be a citizen of any State by which it has been incorporated and of the State where it has its principal place of business." 28 U.S.C. § 1332(c)(1). According to the defendants, Citigroup Global Markets, Inc.

and Citigroup, Inc. were both incorporated in Delaware, and have their principal place of business in New York.¹ Notice of Removal at 2-3.

At this time, despite the fact that the defendants have an office in Connecticut, there is no indication that their principal place of business is not in New York. If the plaintiff has reason to believe that the defendants' principal place of business is in Connecticut, she may file a motion to that effect.

Plaintiff's objection to removal, doc. #10, is **OVERRULED without prejudice**. It is so ordered.

Dated at Bridgeport, Connecticut, this 5th day of November, 2010.

/s/ Stefan R. Underhill
Stefan R. Underhill
United States District Judge

¹ The plaintiff lists as a defendant Smith Barney/Citigroup Global Markets, Inc., which the defendants insist is no longer a legal entity. According to the defendants, Citigroup Global Markets, Inc., previously did business as Smith Barney, but in 2009 it became part of Morgan Stanley Smith Barney, which is not a party in this lawsuit. Notice of Removal at 3 n.3. Presumably the plaintiff intends "Smith Barney/Citigroup Global Markets, Inc." to refer to Citigroup Global Markets, Inc.