

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Kira Moore and Zy’aire Jermaine Perry, a minor by his parent and
legal guardian Kira Moore v. Compcare Health Services Insurance
Corporation and State of Wisconsin Department of Health Services,
Kassahun Haile, Hill Billy Trucking LLC, Bowman Sales and
Equipment Inc., Xpress Line Inc., Chubb National Insurance
Company, Southlake Specialty Insurance Company, and ABC
Insurance Company

Moore v. Haile, No. 25-cv-0531-bhl (E.D. Wis. Dec. 3, 2025) · No. 25-cv-0531-bhl · Decided December 3, 2025

SUMMARY

The United States District Court for the Eastern District of Wisconsin granted Hill Billy Trucking LLC’s motion to amend defective jurisdictional allegations in its notice of removal. The court denied the plaintiffs’ motion to remand, concluding that amended allegations established complete diversity and that the objection to the lack of unanimous consent was an untimely procedural challenge.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	Brett H. Ludwig
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	December 3, 2025
DOCKET	25-cv-0531-bhl
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved to remand a removed diversity action to Wisconsin state court, and Hill Billy Trucking LLC moved for leave to amend defective jurisdictional allegations in its notice of removal.
STANDARD OF REVIEW	The court assessed the adequacy of jurisdictional allegations and the timeliness of the remand motion under the governing jurisdiction and removal statutes.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown

PARTIES

Kira Moore, Zy'aire Jermaine Perry, a minor by his parent and legal guardian Kira Moore v. Compcare Health Services Insurance Corporation, State of Wisconsin Department of Health Services, Kassahun Haile, Hill Billy Trucking LLC, Bowman Sales and Equipment Inc., Xpress Line Inc., Chubb National Insurance Company, Southlake Specialty Insurance Company, ABC Insurance Company

TOPICS

subject matter jurisdiction

motion to amend

limited liability companies

civil procedure

PRACTICE AREAS

civil procedure

federal jurisdiction

removal and remand

limited liability companies

QUESTIONS PRESENTED

1. Whether Hill Billy Trucking LLC should be permitted to amend the jurisdictional allegations in its notice of removal.
2. Whether the amended allegations established complete diversity and federal subject-matter jurisdiction under 28 U.S.C. § 1332(a).
3. Whether the action had to be remanded because Southlake Specialty Insurance Company did not consent to removal, where the remand motion was filed more than 30 days after removal.
4. Whether a dissolved limited liability company's citizenship should be determined by the citizenship of its members at the time of dissolution.

HOLDINGS

1. The court granted Hill Billy leave to amend its notice of removal because the defects concerned jurisdictional allegations and the proposed amendment cured those defects.
2. For purposes of diversity jurisdiction, the citizenship of Hill Billy, a dissolved LLC that remained subject to suit under Ohio law, was determined by the citizenship of its sole member at dissolution.
3. The amended jurisdictional allegations established complete diversity and confirmed subject-matter jurisdiction under 28 U.S.C. § 1332(a).
4. Plaintiffs waived their objection to the alleged lack of unanimous consent because they did not move to remand within 30 days after removal; the court therefore denied remand on that ground.

KEY QUOTATIONS

"Defective allegations of jurisdiction may be amended, upon terms, in the trial or appellate courts." (section 1)

“Hill Billy’s failure to obtain Southlake’s consent is a mere procedural violation, not jurisdictional.” (section II)

FACTUAL BACKGROUND

Plaintiffs alleged that Kassahun Haile, while driving a truck for the defendant trucking and equipment companies, rear-ended Kira Moore’s vehicle on September 12, 2023. Moore was pregnant at the time, and the accident allegedly injured both Moore and her then-unborn son. Hill Billy Trucking LLC was an Ohio LLC that dissolved on May 24, 2024, before removal, and its sole member at dissolution was alleged to be Feruzjon Boboyorov, a New York citizen.

PROCEDURAL HISTORY

Plaintiffs filed state-law negligence claims in Milwaukee County Circuit Court arising from a September 12, 2023 motor-vehicle accident. Hill Billy removed the action on April 11, 2025, invoking diversity jurisdiction. Plaintiffs moved to remand, arguing that the notice of removal failed to establish the citizenship of natural persons and the LLC and that Southlake had not consented to removal. Hill Billy moved to amend its jurisdictional allegations. The district court granted leave to amend and denied remand.

DISPOSITION

other

CASES CITED

- Page v. Democratic Nat’l Comm., 2 F.4th 630, 634 (7th Cir. 2021)
- Mutual Assignment & Indemnification Co. v. Lind-Waldock & Co., 364 F.3d 858, 861 (7th Cir. 2004)
- Go Fast Sports & Beverage Co. v. Buckner, No. CIV.A.08-CV-01527-MSK-MJW, 2008 WL 2852626, at *2 (D. Colo. July 23, 2008)
- Lazar v. Gobron, 678 F. Supp. 3d 756, 762–63 (W.D. Va. 2023)
- Shimizu Chem. Corp. of Japan v. Capstone Nutritional Holdings, LLC, No. 1:23-CV-00109-JNP-DBP, 2024 WL 4444503, at *1–2 (D. Utah Oct. 8, 2024)
- Page v. Democratic Nat’l Comm., 2 F.4th 630, 636 (7th Cir. 2021)
- Helm v. Resol. Tr. Corp., 84 F.3d 874, 879 (7th Cir. 1996)
- Doe v. GTE Corp., 347 F.3d 655, 657 (7th Cir. 2003)