

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

NTM, Inc. v. A.R. Arena Products Inc.

NTM · No. 24-cv-830-jdp · Decided March 20, 2026

SUMMARY

In this breach of contract case, the United States District Court for the Western District of Wisconsin ordered the plaintiff to provide supplemental evidence establishing the parties’ citizenship for diversity jurisdiction. The court also directed both parties to file trial briefs by May 1, 2026, addressing their claims, defenses, evidence, jury instructions, and proposed verdict forms.

CASE DETAILS

COURT	United States District Court for the Western District of Wisconsin
WRITING FOR THE COURT	James D. Peterson
JURISDICTION	United States District Court for the Western District of Wisconsin
DECIDED	March 20, 2026
DOCKET	24-cv-830-jdp
DISPOSITION	other
PROCEDURAL POSTURE	In a breach-of-contract action scheduled for trial, the district court ordered the plaintiff to supplement the jurisdictional record concerning the parties' citizenship and directed both parties to file trial briefs and other pretrial materials.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	NTM, Inc. v. A.R. Arena Products Inc.

TOPICS

- subject matter jurisdiction
- civil procedure
- breach of contract
- commercial litigation

PRACTICE AREAS

- civil procedure
- contracts
- commercial litigation

QUESTIONS PRESENTED

1. Whether the existing record adequately established the parties' citizenship and diversity jurisdiction under 28 U.S.C. § 1332 for purposes of proceeding to trial.
2. What pretrial submissions the parties must provide to allow the court to identify the claims, defenses, factual issues, evidence, jury instructions, verdict-form questions, and motions in limine requiring resolution at trial.

HOLDINGS

1. The existing record was insufficient to establish diversity jurisdiction for trial. The parties must provide evidence establishing the citizenship of both corporations, including each corporation's state of incorporation and principal place of business where required.
2. Because no party moved for summary judgment and the issues for trial were therefore unclear, both parties were required to file trial briefs addressing their claims, defenses, factual and legal issues, anticipated evidence, proposed jury instructions, verdict-form questions, and motions in limine.

KEY QUOTATIONS

“That was adequate at the pleading stage, but allegations aren’t enough to establish jurisdiction for trial.”

“The parties must submit evidence of A.R. Arena’s principal place of business and its state of incorporation.”

FACTUAL BACKGROUND

NTM, Inc. alleges that it is a Wisconsin corporation with its principal place of business in Wisconsin. NTM alleges that A.R. Arena Products Inc. is a foreign corporation with an address in New York, while A.R. Arena's corporate disclosure form identifies only New York citizenship. The record did not establish A.R. Arena's state of incorporation or principal place of business, and it also lacked evidence establishing NTM's citizenship beyond its pleadings.

PROCEDURAL HISTORY

NTM brought a diversity breach-of-contract action under 28 U.S.C. § 1332. The amended complaint alleged that the amount in controversy exceeded \$75,000 and alleged facts concerning the parties' citizenship, but the record lacked sufficient evidence to establish complete diversity for trial. With trial scheduled for June 2026 and no party having moved for summary judgment, the court issued this pretrial order requiring supplemental jurisdictional materials and trial briefs.

DISPOSITION

other

CASES CITED

- Lujan v. National Wildlife Federation, 497 U.S. 871, 888 (1990)
- Prizevoits v. Indiana Bell Telephone Co., 76 F.3d 132, 134 (7th Cir. 1996)

