

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

CARLLEEN WOODSON, et al.,

Plaintiffs,

v.

Civil Action No: 1:14-20295

CHRYSLER GROUP LLC, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

Pending before the court is the joint agreement of plaintiffs and defendants to remand this case to Circuit Court of McDowell County, West Virginia (Doc. No. 11).

Defendants removed the case to this court, pursuant to 28 U.S.C. § 1452(a), which allows for the removal of a case to federal court if the case is related to a bankruptcy proceeding. Plaintiffs' initial complaint included a punitive damages claim which, according to defendants, fell under Title 11 of the Bankruptcy Code because such a claim not only affected the bankruptcy estate but also was in contravention of certain orders of the Bankruptcy Court. After removal to this court, plaintiffs subsequently amended their complaint and eliminated their claim for punitive damages (Doc. No. 8). Having

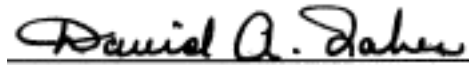
eliminated the punitive damages claim which was the basis for this court's jurisdiction and the reason for removal, this court now lacks subject matter jurisdiction.

For the aforementioned reasons, the parties' request to remand is GRANTED, and the court REMANDS this case to the Circuit Court of McDowell County, West Virginia.

The Clerk is directed to send a certified copy of this Memorandum Opinion and Order to all counsel of record and the Clerk of the Circuit Court of McDowell County, West Virginia.

IT IS SO ORDERED this 28th day of August, 2014.

Enter:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge